IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2285 OF 2016

Nitesh Chandrakant Patil .... Applicant
Vs.
The State of Maharashtra .... Respondent

Mr. Rajiv Patil, Senior Advocate i/by M.M. Baig for the applicant.

Mr. N.B. Patil, APP for the State.
Mr. Chetan Krishna Patil, Bhiwandi Taluka Police Station, Thane Rural.

Coram : N.W. SAMBRE, J.
Date : 22nd December, 2016

P.C.

1 In Crime No. I-205 of 2015, registered at Bhiwandi Taluka Police Station, punishable under Sections 143, 147, 148, 149, 302, 307, 366, 323, 504, 506 of Indian Penal Code and 3,4 and 25 of the Arms Act, the applicant is seeking regular bail, who was arrested on August, 19, 2015, in an offence registered on August, 17, 2015.

2 The applicant herein appears to be brother-in-law of deceased, Satyam.

3 It is out of enmity between the two groups and since the applicant's sister has performed love marriage with deceased-Satyam, it is claimed that the applicant was unhappy resulting into the deadly assault in which Satyam lost his life.

4 Upon perusal of the investigation papers i.e. the charge-sheet, the investigation is complete. It depicts that the role attributed to the applicant is that of caught holding of Satyam with the help of other co-accused, Raju Ramu Madhavi. The blow of knife is given by some other accused person, who happened to be the real brother of the applicant.

5 Looking to the nature of the attribution against the applicant, which is restricted to the extent of caught holding of deceased, Satyam, in my opinion, the applicant who is already behind bar for more than 18 months deserves to be released. There are no criminal antecedents brought to my notice.

6 In view thereof, in my opinion, the application needs to be allowed. The applicant be released on bail on furnishing P.R. bond of Rs.25,000/- (Rupees Twenty Five Thousand only) with one or two sureties in the like amount.

7 Any two consecutive absence of the applicant before the learned trial court will entail the learned Judge to take out proceedings for cancellation of bail.

8 The applicant not to tamper with the evidence and/ or influence the witnesses in any manner whatsoever.

(N.W. SAMBRE, J.)