

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION No.132 OF 2017

1. Kiran Dilip Bagul .Applicants
2. Ravi Sarjerao Jadhav

Vs.

The State of Maharashtra .Respondent

Mr.Aniket U. Nikam i/b. Mr.Ashish Satpute, Advocate, for the Applicants

Mr.Deepak Thakare, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 11.04.2017

P.C.

. Heard learned counsel for the Applicants and the learned APP for the Respondent – State.

2. Learned counsel for the Applicants does not press the Application qua the Applicant No.1 at this stage and seeks leave to file a fresh Application after six months. As far as the Applicant No.2 is concerned, the Applicant seeks his enlargement on bail in connection with C.R.No.I-491 of 2016 registered with the Dindori Police Station, District – Nashik, for the alleged offences punishable under Sections 307, 149, 141, 143, 148 of the Indian Penal Code and under Section 135 of the

Bombay Police Act.

3. Perused the papers.

4. According to the complainant-Mangesh Madhukar Bagul, Kiran Bagul is alleged to have assaulted Ajeet Khichi on his head whereas rest of the accused are alleged to have assaulted with a wooden stick and fist and kick blows. The Applicant No.2 - Ravi Jadhav is alleged to have assaulted with a wooden stick. The Injury Certificate on record is of a private hospital. The injuries on the head and chest are stated to be grievous injuries. The Applicant No.2 is in custody since 16.09.2016. Investigation is complete and charge-sheet is filed. There are no antecedents qua the Applicant No.2.

5. Considering the aforesaid, the Application is allowed qua the Applicant No.2 and the Applicant No.2 is enlarged on bail on the following terms & conditions:-

O R D E R

(i) The applicant No.2 be enlarged on bail, on executing PR Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;

(ii) The applicant No.2 shall attend the concerned Police Station on the **first Saturday of every month** between **11:00 a.m. to 11:00 a.m.** till the conclusion of the trial;

(iii) The applicant No.2 shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant No.2 shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant No.2 to cooperate with the conduct of the trial;

(vi) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant No.2's bail.

6. As far as the Applicant No.1 is concerned, liberty is granted to the Applicant No.1 to file a fresh Application after six months.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)