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

CRIMINAL BAIL APPLICATION NO.616 OF 2017

Sagar Suresh Bansode
Versus
The State of Maharashtra

...Applicant

...Respondent

Mr.P.G.Sarda, for the Applicant.

Mr.Prashant Jadhav, A.P.P. for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 30th MARCH, 2017

P.C. :

1. Heard learned counsel for the Applicant and learned APP for the Respondent - State.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.110 of 2015 registered with the Wanwadi Police Station, Pune for the alleged offences punishable under Sections 302, 143, 147, 149 of the Indian Penal Code.

3. The incident in question has taken place on 26th April, 2015 at about 10.30 p.m. It is alleged that the applicant alongwith co-accused came to the spot and assaulted Akbar Hussain Sayyed with fists and kick blows. In the said assault, co-accused – Yogesh Adsul is alleged to have picked up a stone lying at the spot and thrown the same on Akbar's head, after which all the accused ran away from the spot.

4. Perused the papers. The applicant is alleged to have assaulted the deceased with fists and kick blows. The cause of death is stated to be 'death due to head injury'. Co-accused – Yogesh Adsul is alleged to have picked up a stone lying on the spot and thrown it on the deceased. Admittedly, the applicant was not armed with any weapon. The applicant is 19 years of age and has been in custody since April, 2015.

5. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;

ii) The Applicant shall attend the concerned Police Station on the first Monday of every month between 10.00 a.m. to 11.00 a.m., till the conclusion of the trial;

(iii) The Applicant 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;

(iv) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(v) The Applicant shall cooperate with the conduct of the trial;

(vii) An undertaking to the aforesaid clauses (ii) to (v), shall be filed by the Applicant, in the Trial Court, within two weeks' of his release.

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

7. 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.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)