

Anand

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

BAIL APPLICATION NO.1202 OF 2017

Bhima Sahebrao Dabhade .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.R.M.Pawar, Advocate, for the Applicant

Mrs.Rutuja Ambekar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 13.06.2017

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.254 of 2017 registered with the Baramati City Police Station, Pune(Rural), for the alleged offences punishable under Sections 143, 147, 148, 149, 307, 323, 504, 506 and 201 of the Indian Penal Code.

3. Learned counsel for the Applicant submits that the Applicant has not been named in the FIR and that he was not present at the spot at the time of the assault. Learned counsel for the Applicant states that the Applicant has no antecedents.

4. Learned APP does not dispute the fact that the Applicant has not been named in the FIR. As far as destruction of evidence is concerned, the said offence punishable under Section 201 of the Indian Penal Code is a bailable offence. It appears that the Applicant was not present at the spot and the only allegation against him is that he destroyed the evidence. The offence punishable under Section 201 of the Indian Penal Code is a bailable offence.

5. Considering the role of the Applicant, the Applicant is enlarged on bail on the following terms & conditions:-

O R D E R

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

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

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.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)