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

CRIMINAL BAIL APPLICATION NO.2002 OF 2017

Shirish Dhondiram Chikalkar

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.Amin Solkar, for the Applicant.

Ms.J.S.Lohakare, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 1st SEPTEMBER, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.79 of 2017 registered with the Azad Maidan Police Station, Mumbai, for the alleged offences punishable under Sections 307, 323, 504 r/w 34 of the Indian Penal Code.

3. The complainant is Sopan Kamble. The incident has taken place on 6th March, 2017, when the Republican Party of India (Athavale Group) had arranged a protest march at Azad Maidan, as Dr.Krishna Kiravale was murdered at Kolhapur and for demanding investigation of the said case, by CBI. It appears that since there was a prohibitory order, the complainant was of the view that the protest should not be carried out. It is alleged by the complainant, that the present applicant came forward, pulled out a box (dabba) from a plastic bag and tried to pour the explosive liquid substance on the complainant's person. It is alleged that co-accused - Vishal Diwar pulled out a match-stick and as he was about to set the complainant ablaze, the complainant's wife and a representative came and pulled the complainant aside. Admittedly, the complainant did not receive any injuries in the said incident. It appears that in the supplementary statement, the complainant has stated that the names of the accused is wrongly mentioned in the FIR. He has stated that infact, some unknown persons were responsible for the same and that the names of the applicant and the co-accused were wrongly mentioned. Investigation is complete and charge-sheet is filed. Co-accused – Vishal Diwar has been enlarged on bail by this Court vide order dated 10th August, 2017, passed in Bail

Application No.1767 of 2017. The said order is on page 27 of the application.

4. Considering the aforesaid and in the facts of the case, further detention of the applicant is not warranted. Accordingly, 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.50,000/- with one or more local solvent 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 12:00 noon, 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 trial Court

as well as to the concerned Police Station, in writing;

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 co-operate in the conduct of the trial.

5. The Application is allowed and disposed of in above terms.

6. It is made clear, that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

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

(REVATI MOHITE DERE, J.)