

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2016 OF 2017

Mahendra Singh @
Jaggi Atmasingh Labhana ... **Applicant**
V/s.
The State of Maharashtra ... **Respondent**

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Mr.C.K.Pendse with Mr.B.D.Shinde, Advocate for the Applicant.

Ms.P.N.Dabholkar, APP for the Respondent/State.

Mr.S.K.Jadhav, PI, Hill Line Police Station is present.

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CORAM : A.M.BADAR J.

DATED : 6th NOVEMBER 2017.

P.C. :

1 The applicant/accused in Crime No.I-157 of 2017 registered with Hill Line Police Station for offences punishable under Sections 307, 324, 147, 148, 149 and 427 of the Indian Penal Code and under Sections 3 and 25 of the Indian Arms Act as well as Section 37(1)(3) read with Section 135 of the Maharashtra Police Act, by this application is seeking his release on bail during pendency of the trial.

2 Heard the learned Advocate appearing for the applicant/accused. He points out the Order dated 12th September

2017 passed by this Court (Coram : Mrs.Revati Mohite-Dere J.) in Anticipatory Bail Application No.1561 of 2017 and submits that three of the co-accused in this case are already granted anticipatory bail by this Court. The learned Advocate further points out that the CCTV footage relied by the prosecution and the record of cross case reveals that one of the member who is already accused in the crime is rendered paraplegic because of the dash given by the Scorpio vehicle.

3 The learned Additional Public Prosecutor points out that there are independent witness to the incident in question and the injury certificate reveals that Raunik Singh has suffered serious injury in the incident in question. However, the learned Additional Public Prosecutor does not dispute the fact that injured Raunik Singh has already been discharged from the hospital.

4 I have carefully considered the rival submissions and also perused the papers of the investigation.

5 Co-accused in this case given are granted pre-arrest bail by this Court vide Order dated 12th September 2017. The injured is discharged. Charge-sheet has already been filed. In this view of the matter, I see no reason to deny bail to the present applicant. Therefore, the order :

- (i) The application is allowed.
- (ii) The applicant/accused in Crime No.157 of 2017, registered with Hill Line Police Station for offences punishable under Sections 307, 324, 147, 148, 149 and 427 of the Indian Penal Code and under Sections 3 and 25 of the Indian Arms Act as well as Section 37(1)(3) read with Section 135 of the Maharashtra Police Act is directed to be released on bail on his executing P.R.Bond in the sum of 15,000/-, and on furnishing surety in like amount.
- (iii) The applicant shall not tamper with the prosecution evidence in any manner.
- (iv) The applicant/accused shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the court or to the Police Officer.
- (v) The applicant should not commit any crime in future while enjoying liberty under Order of this Court and he should not contact members of the prosecuting party in any manner.

(A.M.BADAR J.)