

Dond

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2060 OF 2017

Atul Prakash More

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Mr. Aniket Nikam i/b Aashish Satpute, for Applicant.
Ms. Rutuja Ambekar APP for State.

CORAM: A.S. GADKARI, J.

DATE : 19th September 2017.

P.C.

1] This is an application under Section 439 of Cr. P.C. for bail in CR No.146 of 2017 dated 17.4.2017 registered with Haveli Police Station, Pune (Rural) under Section 307, 143, 147, 148, 427, 324, 504, 506 of the Indian Penal Code and under Section 3 and 25 of the Arms Act.

2] Heard the learned Counsel for applicant and the learned APP for State. Perused the chargesheet.

3] It is alleged that during the course of fight the applicant-Chetan Limhan (Bail Application No.2059 of 2017), the present applicant-Atul More took out a revolver from his pocket and pointed it on the head of the first informant. However, the record clearly indicates that, as a matter of fact the said co-accused did not use any revolver and was holding a wooden log at the time of incident. Thus it clearly appears that the version of the first informant and other witnesses qua the said co-accused about pointing out revolver appears to be an exaggerated version which Investigating Agency has failed to substantiate.

4] In view thereof, this Court is of the view that, the applicant can be released on bail on certain conditions.

Hence the following Order:

(i) The applicant be released on bail in CR No.146 of 2017 registered with Haveli Police Station, Pune on on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After his release from the jail, the applicant shall attend the Haveli Police Station once in month i.e. on every 1st Monday of the said month between 11.00 a.m. to 2.00 p.m.

(iii) The applicant shall also attend all the dates before the Trial Court.

(iv) Any two consecutive defaults in complying with the aforesaid conditions, shall attract the provisions of cancellation of bail.

(v) Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(vi) Application is allowed in the aforesaid terms.

(A.S. GADKARI,J.)