

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 309 OF 2019**

Vinay Lalchand Choudhary	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. S. V. Marwadi for the Applicant

Mr. A. A. Palkar, A.P.P for the Respondent-State

PSI Mr. Sandip Divte from Waliv Police Station, Palghar, is present

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 6th AUGUST 2019

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. I-565 of 2018 registered with the Waliv Police Station, Palghar, for the alleged offences punishable under Sections 302, 201, 120B, 182, 404 and 34 of the Indian Penal Code.

3 Perused the papers. The applicant is the brother of deceased-Rohit Choudhary. According to the prosecution, as deceased-Rohit would assault his family members, for no reason, with scythe, iron strip, stick and

burning wood, a conspiracy was hatched to kill him by his own family members, being fed up of the acts of the deceased. According to the prosecution, accused No.1-Lalchand, father of the deceased gave supari to accused Nos. 6 to 9 to kill his son-Rohit. As far as the applicant is concerned, admittedly, the applicant has not been named in the FIR. Admittedly, the applicant was present in Uttar Pradesh in his *vasti* at the time of the alleged incident of assault on deceased-Rohit, which took place at Vasai. Apart from the allegation of conspiracy, *prima facie*, there is no other material to connect the applicant with the alleged offence. The applicant is in custody since 2nd July 2019. Investigation is complete and charge-sheet is filed.

4 Considering the aforesaid, the application is allowed on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount;

- (ii) The applicant shall attend the concerned Police Station on the

first Saturday of every month from 10:00 a.m. to 11:00 a.m. for a period of 24 months from the date of his release;

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

(iv) The applicant shall inform his latest place of residence and mobile contact number 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;

(v) The applicant to cooperate with the conduct of the trial and attend all the dates before the trial Court, unless exempted;

(vi) The applicant shall file an undertaking with regard to clauses (ii) to (v) in the trial Court, within two weeks of his release;

(vii) If there are two consecutive defaults either in attending the Police Station or in appearing before the trial Court, or breach of any

of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

5 The application is accordingly disposed of.

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

REVATI MOHITE DERE, J.