

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.443 OF 2019

Mangesh Dilip Dhumal ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Sanjiv P.Kadam i/b. Bhalchandra S.SShinde for the applicant.

Mr.M.G.Patil, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : MARCH 1, 2019

P.C.:-

Heard learned counsel for the applicant and learned APP for the State.

2. After his arrest in crime No.391/2108 for offence punishable under sections 307, 143, 147, 148, 149, 323, 504 of the Indian Penal Code, sections 31(1) / 135 of the Bombay Police Act and section 25 of the Arms Act registered with Khadak police station, District Pune the applicant came to be charge-sheeted.

3. At the behest of the brother of the applicant crime came to be registered against the complainant being crime

No.390/2018 for offence punishable under sections 307, 324, 143, 147, 148, 149, 323, 504 of the Indian Penal Code, sections 31(1) / 135 of the Bombay Police Act and section 25 of the Arms Act is registered.

4. The applicant came to be arrested on December 21, 2018. In the alleged incident, the applicant suffered blunt injury whereas the role attributed to the applicant is used of sickle, which is not recovered from the applicant.

5. Of the three antecedents against the applicant, he is already acquitted in two whereas in the other one, there is no serious attributions to the applicant.

6. Considering the aforesaid position, in my opinion, the applicant deserves to be released on bail particularly, when the complainant is already released. Hence the order :-

i) The applicant be released on bail in Crime No.391/2108 for offence punishable under sections 307, 143, 147, 148, 149, 323, 504 of the Indian Penal Code, sections 31(1) / 135 of the Bombay Police Act and section 25 of the Arms Act registered with Khadak police station, District Pune upon furnishing P.R. bond of Rs.25,000/- with one or more

sureties in the like amount;

- ii) The applicant shall not influence the prosecution witnesses or tamper with the evidence;
- iii) Till the framing of the charge, the applicant shall remain outside the jurisdiction of the Khadak police station;
- iv) The application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)