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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.677 OF 2018

Rajendra @ Raju Sampat Paigude ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Kuldeep Patil I/b. Mr.Hrishikesh Giri for the applicant.

Smt. J.S. Lohakare, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 8, 2019

P.C.:-

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

2. This is an application seeking pre-arrest bail in crime
No.13/2018 for offences punishable under section 302, 307, 325,
323, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code
and under section 135 of the Maharashtra Police Act registered
with Haveli police station, District Pune.

3. It is worth to note that the applicant is not named in the complaint but there is only mention of presence of three to four other persons.

4. Learned APP submits that eye witness to the incident, namely Dnyanoba has named the present applicant as the person who participated in the commission of crime in question. To be more precise, no specific overt act is attributed to the applicant in the crime in question. The other eye witnesses to the incident, namely Chaitanya, Rupesh and Smt.Sharada have named the applicant but no specific overt act is attributed to him.

5. Apart from above, statements under section 164 of the Criminal Procedure Code of other witness namely Tukaram and Rupesh has not referred to the present applicant of having played any active role in the commission of crime in question. In view of above, the applicant stands allowed. Hence the order :-

- i) In the event of arrest in Crime No.13/2018 for offence punishable under sections 302, 307, 325, 323, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code and under

section 135 of the Maharashtra Police Act registered with Haveli police station, District Pune, the applicant be released on bail on his executing P.R. bond of Rs.50,000/- with one surety in the like amount;

- iii) The applicant shall attend the Haveli police station, District Pune on Tuesday and Friday between 10.00 a.m. to 12.00 noon till filing of the charge-sheet;
- iv) The applicant shall not influence the prosecution witnesses or tamper with the evidence;
- v) The application stands allowed in above terms.

(NITIN W. SAMBRE, J.)