

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1530 OF 2019

Akash Mangesh Saswade

.. Applicant

Vs.

State of Maharashtra

.. Respondent

.....

Mr.Aniket Nikam a/w. Mr.Aashish Satpute, A. Chheda and Amit Icham i/b. Mr.Vivek N. Arote, Advocate for the Applicant.

Mrs.Geeta P. Mulekar, APP for the Respondent - State.

.....

CORAM : PRAKASH D. NAIK, J.

DATED : DECEMBER 04, 2019.

P.C. :

This is an application for bail in connection with C.R.No.110 of 2018, registered with Samarth Police Station, Pune, for the offences punishable under Sections 307, 143, 147, 148, 149, 504 and 506 of Indian Penal Code ("IPC", for short).

2 The prosecution case is that on 14th June, 2018, the complainant and his friends were standing near Doke Talim Balmandal at Nanapeth, Pune, several accused armed with weapons assaulted the complainant and other injured persons. The applicant had abused and assaulted the complainant on his

head by sickle. Applicant had also assaulted complainant and Aniket and other persons. Accused Rupesh Kadam was also attributed role of assault to both the injured persons. About 18 persons were arrested during the course of investigation. Charge-sheet is filed. Learned advocate for the Applicant submitted that except the Applicant all other accused are released on bail. The co-accused Rupesh Nana Kadam has been granted anticipatory bail. The other accused who have participated in the crime were granted regular bail. Applicant is in custody from 21st June, 2018. The trial has not commenced.

3 Learned APP submits that there is evidence to show the involvement of the applicant in the crime. There are six eye witnesses in the incident. There is recovery of weapons. It is also submitted that the Applicant is involved in one more case and after released on bail, he was involved in other crime. The CA report also supports the prosecution case.

4 It is relevant to note that about 16 other accused who had assaulted the injured persons jointly were arrested and granted bail. C--accused Rupesh Nana Kadam was attributed role of having assaulted the complainant, Aniket and other injured

with sickle, has been granted anticipatory bail. The Applicant is in custody for about one and half years. The investigation is completed and charge - sheet is filed. The applicant, indeed has one case is pending against him. However, he can be put stringent condition while granting bail

5 Hence, I pass the following order:

:: O R D E R ::

- (i) Bail Application No.1530 of 2019, is allowed;
- (ii) The Applicant is directed to be released on bail in connection with C.R.No.110 of 2018, registered with Samarth Police Station, Pune, on his executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;
- (iii) Applicant shall stay out of the jurisdiction of Pune City, till conclusion of the trial and shall furnish the details of his place of residence after he is released on bail to the investigating

officer. He shall report nearest police station once in a month on first Saturday of the month between 10:00 a.m. to 12:00 noon, and, thereafter, as and when called for till further orders;

(iv) Applicant shall enter Pune City only for attending the trial Court on the date of hearing of the present case;

(v) Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)