

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

CRIMINAL BAIL APPLICATION NO. 2048 OF 2018

Pranav Fattu Gawade ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Aniket Nikam I/by Aashish Satpute for Applicant.

Mr. S. S. Hulke, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 17, 2019.

P.C. :

. In Crime No. 265 of 2017 for an offence punishable under Sections 307, 120-B read with Section 34 of the Indian Penal Code and Sections 3, 5, 25, 27 of the Indian Arms Act and Section 37(1) read with Section 135 of the Maharashtra Police Act, the Applicant is seeking regular bail. The Applicant was arrested on 2nd July 2017 and is chargesheeted.

2. So far as the statement of complainant is concerned, though the Applicant is not named as accused in categorical terms, the persons who were involved in the actual incident of firing were identified by the

complainant as is reflected in supplementary statement dated 3rd August 2017.

3. The other co-accused who is similarly situated, namely Saurabh Shinde is already ordered to be released by this Court on 20th June 2018 by recording appropriate reason. Similarly, the Accused Girish Dalvi who was also identified by the complainant as a person who was involved in the actual incident of firing is ordered to be released by the Sessions Court on 3rd November 2018.

4. In the aforesaid background, in my opinion, considering the nature of allegation against the Applicant, the evidence available on record, the absence of criminal antecedents and the role attributed to the Applicant, he is also deserves to be released on bail. Hence, the following order.

ORDER

(A) The Applicant be released on bail in Crime No. 265 of 2017 for an offence punishable under Sections 307, 120-B read with Section 34 of the Indian Penal Code and Sections 3, 5, 25, 27 of the Indian Arms Act and Section 37(1) read with Section 135 of the

Maharashtra Police Act, on executing PR Bond of Rs. 25,000/- with two sureties in the like amount.

- (B) The Applicant shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.

5. Criminal Bail Application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)