

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

CRIMINAL BAIL APPLICATION NO.2378 OF 2019

Bevesh @ Bunty Anant Bhalekar	..Applicant
V/s.	
The State of Maharashtra	.. Respondent

Mr.Santosh Bhamre a/w Mr.Swapnil Patil for the Applicant.

Ms.Sharmila S. Kaushik, APP for the Respondent-State.

Mr.Motiram M. Pawar, PSI, Bhiwandi Taluka Police Station is present.

CORAM : SANDEEP K. SHINDE, J.

DATE : 25th NOVEMBER 2019

P.C.

1. The applicant is seeking his enlargement on bail in Crime No.I-166 of 2018 registered with the Bhiwandi Taluka Police Station for the alleged offences punishable under Sections 302, 452, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

2. On 08th June 2018 quarrel ensued between father of the applicant and deceased. Family of the deceased and the applicants are neighbors. Deceased is a second cousin of the applicant. It is alleged the applicant inflicted fist blows on the back of the deceased and his brother (co-accused) inflicted a blow of knife on the

abdomen of the deceased.

3. Postmortem report shows incise wound over left side abdomen by hard and sharp weapon. Postmortem report does show other injuries.

4. Applicants brother (co-accused) allegedly inflicted knief blows on the deceased; whereas this applicant allegedly inflicted stick blows on the back. *Prima-facie* the incident is not the premeditated, but arose on spur of moment. The applicant has no criminal antecedents. In view of these facts, the application is granted and directed to be released the applicant on bail with following conditions.

ORDER

(i) The applicant be enlarged on bail in Crime No.I-166 of 2018 registered with the Bhiwandi Taluka Police Station, on executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(ii) The applicant undertakes not to live in the village Naigaon, Taluka-Bhiwandi, District-Thane till the commencement of the trial.

(iii) The applicant is directed to furnish address of residence and mobile contact number to the Investigating Officer within 7 days from his release from the jail;

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

5. The application is accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(SANDEEP K. SHINDE, J.)