

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

CRIMINAL BAIL APPLICATION NO. 2629 OF 2019

Tejas Chandrakant Janaskar ...Applicant

Versus

The State of Maharashtra ...Respondent

...

Mr. Sanjeev Kadam i/by Mr. B.L. Jagtap,
Advocates for the Applicant.
Ms. Rutuja Aambekar, A.P.P. for the Respondent-State.
Mr. Ravindra Avhad, P.I., Borivali Police Station.

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CORAM : SANDEEP. K. SHINDE, J.
DATE : 02nd DECEMBER 2019.

P.C.

1. Heard learned counsel for the applicant and
learned A.P.P. for the Respondent - State.

2. Applicant is seeking bail in Crime No. I - 62
of 2018 registered with the Kasturba Marg Police
Station, for the alleged offences punishable under
Sections 302, 307, 323, 212, 504 and 506 read with 34 of
the Indian Penal Code, 1860.

3. Nephew of deceased Gulam Waris, reported assault on his uncle by one Shailesh and Gotiya by chopper initially on the hand, face and head by Shailesh and thereafter by Gotiya by the same chopper on the head and chest. Gulam was removed to hospital but he succumbed to the injuries. Corresponding injuries are noted in column no.7 of the postmortem report. Gulam Waris died due to multiple injuries sustained by him.

4. It is alleged, in the course of incident, applicant came on the spot on a motorcycle, and inflicted fist blows on deceased.

5. The applicant is in jail since on 27.01.2018, with no criminal antecedent. Investigation is over. Trial may not commence in the near future and presence of accused can be secured by imposing conditions.

6. In view of the nature of role attributed to the

applicant by the complainant and other witnesses, the applicant is directed to be released on bail.

ORDER

(i) The applicant is directed to be released on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with the one or more sureties in the like amount;

(ii) The applicant shall cooperate in the investigation and report to the concerned police station twice a month on 15th day of month till the charge framed;

(iii) The applicant shall furnish particulars of his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, within a week from his release on the bail to the Investigating Officer;

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the

complainant, witnesses or any person concerned with the case.

7. The application is disposed of in the aforesaid terms.

8. 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.

9. All concerned to act on the authenticated copy of this order.

(SANDEEP. K. SHINDE, J.)