

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

CRIMINAL BAIL APPLICATION NO. 3099 OF 2019

Rhitik Vishnu Gangurde ... Applicant

Versus

The State of Maharashtra ... Respondent

...

Mr. Gautam T. Kanchanpurkar,
Advocate for the Applicant.

Mr. S.R. Aagarkar, A.P.P. for the Respondent-State.

...

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 his enlargement on bail in Crime No. I - 331 of 2018 registered with the Central Police Station, Ulhasnagar for the alleged offences punishable under Sections 302, 324, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code, 1860.

3. Karan Bhalerao (complainant) reported to the

Police that on 07.11.2018 at about 10:00 p.m., deceased Navin Chaudhary was assaulted by seven persons but, one Parya (Parvez) inflicted a knife blow on the chest of Navin Chaudhary (deceased). He alleged the co-accused were armed with sticks and broken pieces of tiles.

4. Applicant was apprehended on 15.11.2018.

5. This Court vide order dated 14.10.2019 granted bail to Dilip Eknath Jadhav, a co-accused. The role attributed to the Dilip Jadhav is not a different then role attributed to this applicant.

6. I have perused the postmortem report which shows the deceased had suffered incised stabbed injury over left side of chest. The charge-sheet is filed. No criminal antecedent against the applicant are pointed out. The co-accused has been released on bail by this Court. The trial may not commence in the near future. The applicant is 19 years old, student. His presence can be secured by imposing conditions. Application is

allowed, in the following terms.

ORDER

(i) The applicant be enlarged on bail, on executing P.R. Bond in the sum of Rs.20,000/- with one or two local sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station on the first Saturday of every month from 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;

(iii) The applicant shall not enter the jurisdiction of Central Police Station, Thane, except for the purpose of attendance, till the charge is framed;

(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;

(v) The applicant shall inform his latest place of

residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(vi) The applicant to cooperate with the conduct of the trial and attend all the dates before the trial Court, unless exempted;

(vii) The applicant shall file an undertaking with regard to clauses (ii) to (vi) in the trial Court, within two weeks of his release;

(viii) If there are two consecutive defaults either in attending the Police Station or in appearing before the trial Court, or breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

7. The application is allowed in the aforesaid

terms and disposed of.

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.*)