

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

**BAIL APPLICATION NO. 3579 OF 2019**

1. Kishor Dashrath Jagnade  
2. Mandar Satish Pardeshi ...Applicants

Versus

The State of Maharashtra ...Respondent

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Mr. Aniket Nikam i/b Vivek N. Arote, Advocate for the Applicant.  
Mr. Mr. Chetan Alai i/b Mangesh M. Deshmukh Advocate for  
Intervenor.  
Mr. H. J. Dedhia, APP for the State-Respondent.

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**CORAM : PRAKASH D. NAIK, J.**

**DATE : 19<sup>th</sup> December, 2019**

**PC :**

1. This is an application for bail in connection with C.R. No. 1259 of 2019, dated 29<sup>th</sup> September, 2019 registered with Chakan Police Station, Pune for offences punishable under Sections 307, 326, 341, 504, 506, 427, r/w Section 34 of IPC.

2. The complainant has alleged that the co-accused and the applicant had assaulted the complainant. The applicants are attributed role of assaulting by wooden log. The applicants were arrested on 18<sup>th</sup> October, 2019.

3. Learned counsel for the applicant submits that the only role assigned to the applicant is that they assaulted by wooden log. They

are in custody from the date of the arrest. Presently they are in Judicial custody. Sticks are recovered from them. There are no criminal antecedents against the applicants.

4. Learned APP submitted that the applicants were attributed specific overt act in the FIR.

5. Learned counsel for the intervenor submitted that the applicant and the co-accused had assaulted the complainant. The complainants FIR is first in point of time.

6. The applicants are in custody from the date of arrest. Initially they were remanded to police custody and thereafter remanded to judicial custody. There is recovery of sticks from the applicant. The role assigned to the applicant is assault by sticks. There are no criminal antecedents against the applicant, Hence, further detention of the applicant is not necessary.

7. Hence, I pass the following order.

### **ORDER**

- i) Bail Application No. 3579 of 2019 is allowed;
- ii) The applicants are directed to be released on bail in connection with C.R. No. 1259 of 2019, dated 29<sup>th</sup> September, 2019 registered with Chakan

Police Station, Pune on their furnishing P.R. bond in the sum of Rs. 25,000/- each with one or more sureties in the like amount;

- iii) The applicants shall report concerned police station once in a month on every first Saturday between 10.00 a.m. to 12.00 noon till further order.
- iv) Bail Application No. 3579 of 2019 stands disposed of accordingly.

**(PRAKASH D. NAIK, J.)**