

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3316 OF 2018

Ravindra s/o Rukmaji Patil,
Age 23 years, Occ.Service, R/o. Room No.10,
Sakubai Chawl, Tanaji Vadi, Sarkar Mitra Mandal,
Tembipada, Bhandup (W), Mumbai-400 078. Applicant

versus

The State of Maharashtra Respondent

Mr.Viral K. Rathod for applicant.

Ms.A.A.Takalkar, APP, for State.

Mr.Umakant Tanna, Police Inspector, Bhandup Police Station,
present.

CORAM : PRAKASH D. NAIK, J.

DATE : 21st January 2019

PC :

1. This is an application for bail in connection with CR No.199 of 2018 registered with Bhandup Police Station for offences under Sections 302, 323, 141, 143, 146 147 and 149 of Indian Penal Code.

2. The applicant was arrested on 30th May 2018. The offences were registered initially under Sections 307, 323 and 34 of Indian Penal Code against four accused persons. On completing investigation the charge sheet is filed. The case of prosecution as spelt out in the FIR is that the complainant and another witness who are associates of the deceased, were informed by the deceased when he was found in injured condition, that four persons had assaulted him. The names of four assailants were also disclosed to the complainant. The injured was then taken to hospital. He succumbed

to the injuries. Pursuant to the information received by the complainant, the FIR was lodged against four persons. Thereafter supplementary statement of the complainant was recorded in which he referred to three other assailants as persons who were involved in the crime. However, name of the applicant is not reflected in the FIR as well as in the supplementary statement. It appears that there is no other evidence against the applicant to show his complicity in the crime. Apparently the applicant has been impleaded as an accused in this case on the basis of statement of co-accused made during the course of investigation. There is no recovery of any other incriminating evidence to show involvement of the applicant in this crime. The charge sheet is filed.

3. In the circumstances, case for grant of bail is made out. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.3316 of 2018 is allowed;
- (ii) The applicant is directed to be released on bail in connection with CR No.199 of 2018 registered with Bhandup Police Station, on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report the Bhandup Police Station once in a month on every first Saturday between 11 am and 1 pm till further orders.

(PRAKASH D. NAIK, J.)