

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

CRIMINAL BAIL APPLICATION NO. 2703 OF 2019

Ketan Krishna Pashte ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Laxmikanth Shrimangale Advocate for the Applicant.
Ms. P.P.Shinde, A.P.P. for the Respondent-State.
Mr. N.S. Raut, P.I. RAK Police Station.

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CORAM : SANDEEP. K. SHINDE, J.
DATE : 07th JANUARY, 2020.

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Heard.

1. It is an application for bail.

2. In the night intervening, 18th and 19th February, 2019, applicant and his friends had gathered to celebrate pre-wedding function, where they had drinks. On trivial issue, a quarrel ensued between the applicants' group on one side and Akshay Gajanan Chavan and Kalpesh on the other. It took an ugly turn, when

one Akash Jadhav @ Gotiya and Tejas Warekar @ Wadiya inflicted knife blows on the person of Akshay Gajanan Chavan (deceased). Thereafter, incident was reported to police by Kalpesh (friend of deceased) on 18.02.2019 whereupon the Crime no.42 of 2019 came to be registered.

3. Learned counsel for the applicant has taken me through the statement of witnesses namely, Paresh Kishor Dalvi and Supriya Rajaram Warekar, besides eye witnesses, Kalpesh and Paresh, who have attributed major role to the accused Akash Jadhav and Tejas Warekar. However, in the supplementary statement of Kalpesh (complainant) recorded on 28.02.2019, he said the applicant had assaulted the deceased by fists and kick blows.

4. Be that as it may, the role attributed to the applicant is that, he had inflicted fists and kick blows to the deceased as noted in the supplementary statement.

5. It is reported that there are no criminal antecedents against the applicant. The charge-sheet in this case has been filed. The applicant is in the custody since February, 2019. He is a permanent resident of Mumbai. It is argued, that applicants' present for the trial can be secured by imposing conditions.

6. In view of the facts of the case, the role attributed to the applicant, his conduct and in the absence of criminal antecedents; he is directed to be released on bail on the following terms.

ORDER

(i) The applicant is directed to be released on bail in Crime no.42 of 2019 registered with RAK Marg Police Station, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount;

(ii) The applicant shall attend the police station

once on 2nd Monday of each month between 10:00 am to 11:00 am commencing from January, 2020 till the framing of charge;

(iii) The applicant shall not reside within the jurisdiction of RAK Marg Police Station for a period of six months from the date of his release on bail;

(iii) The applicant shall furnish his residential address as well as permanent address and mobile number to the investigating officer within seven days from his release on bail;

(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 allowed in the aforesaid terms and disposed off.

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

(*SANDEEP. K. SHINDE, J.*)