

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

CRIMINAL BAIL APPLICATION NO. 2889 OF 2019

Vikas Anant Dhole

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Aniket Nikam i/b Mr. Vivek N. Arote, Advocate for the Applicant.
Mr. H. J. Dedhia, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 17th February, 2020

PC :

1. The applicant is seeking bail in connection with C.R. No. 308 of 2019 registered with Chikhali Police Station, Pune for offences punishable under Sections 307, 328, 504 and 506 of Indian Penal Code. The applicant is arrested on 1st April, 2019, till then he is in custody.

2. The prosecution case is that the complainant is wife of the victim. On 1st April, 2019 the applicant met complainant at Hadpsar, and threatened that he would finish her husband. On 3rd April, 2019 the applicant called the complainants husband to Chikhali for settling all the disputes between them. They decided to meet. The friend of the complainants husband met them at Sane Chouk at

about 1.00 p.m. and all of them went to Shivprasad Hotel. The applicant came there. They went in the hotel and complainant stayed outside the hotel. At about 1.30 p.m. the complainant's husband came out of the hotel and told her that he is feeling giddiness and vomiting. The complainant was told that some substance was mixed in the glass of cold drink by the accused and after drinking the same the victim felt giddiness and vomiting. The victim was taken to the hospital for treatment. The medical certificate issued by Chakan Surgical, Maternity and Accident Hospital dated 3rd April, 2019 mentions that the complainants husband was admitted in the hospital for unknown substance poisoning. The certificate issued by Shree Mangalmurti Hospital dated 10th April, 2019 mentions that the patient suffers giddiness nausea weakness and he was given treatment. The other certificate mentions that the victim had administered poison.

3. Learned APP submits that C.A. report is still awaited. However, it is pertinent to note that the applicant is in custody from 1st April, 2019. The victim's statement was recorded. He was discharged from hospital. The order of the Sessions Court do not refer to any antecedents against the applicant. In these circumstance, on certain terms and conditions bail can be granted to the applicant.

4. Hence, I pass the following order :

ORDER

- i) Bail Application No. 2889 of 2019 is allowed;
- ii) The applicant is directed to be released on bail in connection with C.R. No. 308 of 2019 registered with Chikhali Police Station, Pune, on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;
- iii) The applicant shall report concerned police station once in a month on every first Saturday between 11.00 a.m. to 1.00 p.m. till further order.
- iv) The applicant shall not approach the victim or complainant and shall not tamper with the evidence;
- v) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)