

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3216 OF 2019

Vikas Gautam Gavale

....Applicant

v/s.

The State of Maharashtra

....Respondent

Mr. Anil Kamble, Advocate for the applicant.

Mr. Y.M. Nakhawa, APP for the State.

CORAM : SANDEEP K. SHINDE, J.***Friday, 21 February, 2020.*****P.C. :**

1. Applicant is seeking his enlargement on bail in Crime No. 2057/2019 registered with Kalyan Railway Police Station for the offences punishable under Sections 307, 506 of the Indian Penal Code alongwith Sections 144 and 147 of the Indian Railways Act.

2. I have perused the final report. The applicant is a vendor selling eatables in the local train. It appears, a quarrel arose between

the applicant and the complainant and in the course of it, the applicant inflicted greivous injury on the person of the complainant.

3. The Medical Officer had certified, it was a lacerated wound on the left side of thorax of 8 x 4 x 2 cm. in size inflicted by sharp weapon. The final report shows, he was treated in the Primary Health Center and discharged on the same day. Though the incident was witnessed by co-passengers, it may be stated that, the alleged incident had taken place in a spur of moment without premeditation. Additionally, the prosecution has not brought to my notice, the criminal antecedents of the applicant. The investigation in the case is over and the trial may not commence in the near future. Therefore, in consideration of the facts of the case and the material available on record, the applicant is directed to be released on bail arrested in C.R. No. 2057/2019 registered with Kalyan Railway Police Station, on furnishing P.R. Bond of Rs. 25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like sum.

4. The applicant shall attend the concerned Police Station as and when called.

5. The applicant shall furnish the particulars of his place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.

6. 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. It is made clear that observations made hereinabove shall be construed as expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)