

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

CRIMINAL BAIL APPLICATION NO.3610 OF 2019

Arvind Kuppa Devendra

..Applicant

Vs.

The State of Maharashtra

..Respondent

.....

Mr. Khalid Azmi, Advocate for Applicant.

Mr. Y. M. Nakhwa, APP for Respondent / State.

CORAM : C.V. BHADANG, J.

DATE : 19th MARCH, 2020

PC.

. As per notice dated 16/3/2020 this bail application from the assignment of Hon'ble Justice Shri. P. D. Naik is placed before this Bench.

2. This is an application for bail. The applicant is the co-accused who is facing prosecution for the offence punishable under Section 307, 326, 324, 506(II), 504, 143, 144, 147, 148, 149 and 427 of IPC. The material allegation is that on the date and time of the incident the applicant assaulted the son of the informant Mr. Murgan Deven by sword.

3. I have heard learned counsel for the applicant and the learned APP for the respondent / State. Perused the statement and the FIR.

4. Undisputedly, the other co-accused except the applicant have already been released on bail by the learned Sessions Judge. The

learned Sessions Judge has refused to extend parity to the applicant on the ground that the applicant was the one who is alleged to have assaulted the son of the informant by sword. I have also gone through the injury certificate of Keshvan who is injured son of complainant Murgesh. Prima facie, at this stage, it appears that the injuries shown on the person of Keshvan are simple injuries in the nature of two CLWs and an abrasion.

5. The investigation is complete and the chargesheet is already filed.

6. The learned counsel for the applicant submitted that the applicant is ready and willing to abide by any condition including the condition of staying outside the jurisdiction of Juhu Police Station.

7. In such circumstances, the following order is passed.

ORDER

1. The applicant be released on bail on executing a PR Bond in the sum of Rs.25,000/- with one or more solvent sureties in the like amount.

2. The applicant shall not tamper with the prosecution evidence or witnesses and shall stay out of the jurisdiction of Juhu Police Station.

3. Bail to be furnished before the learned Sessions Judge.

4. The Bail Application is disposed of in the aforesaid terms.

C.V. BHADANG, J.