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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2972 OF 2021

Nilesh S/o. Tukaram Walke	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. K.N.Shermale a/w Ms. Pooja Phagnekar for the Applicant.

Ms. Anamika Malhotra, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.
DATE : 4th OCTOBER, 2021

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 0276 of 2021 registered with the Ranjangaon MIDC Police Station, Pune Rural, Taluka Shirur, District Pune, for the alleged offences punishable under Sections 307, 326, 325, 324, 323, 143, 147, 148, 149 of the Indian Penal Code.
3. On the last date, learned Counsel for the applicant had

submitted that although, the applicant has been named in the FIR, he was not present at the time when the alleged incident took place at the spot, but was at Uday Hill Resort at Saputara, Nashik.

4. In view of the submissions made by the learned Counsel for the applicant, learned APP was directed to take instructions.

5. Learned APP, on instructions, states that the applicant was not present at the spot at the time of the alleged incident. He submits that the statement of the Manager of the Uday Hill Resort had been recorded i.e. of Hiranman Ambadas Bagul with respect to the same. She submits that the material produced by Hiranman Ambadas Bagul shows that the applicant was present at the resort on the date of the incident i.e. 22nd July, 2021 between 4.00 a.m. to 1.00 p.m. Learned APP, on instructions, further states that the Police will be filing of 169 report *qua* the applicant. Learned APP has tendered a report of the concerned officer dated 3rd October, 2021. The same is taken on record.

6. In view of the aforesaid, the application is allowed and the applicant is forthwith, released on bail on the following terms and conditions.

ORDER

(i) The applicant be released on cash bail in the sum of Rs. 5,000/-, for a period of eight weeks;

(ii) The applicant shall within the said period of eight weeks, furnish P.R. Bond in the sum of Rs. 5,000/- with one surety in the like amount;

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

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

REVATI MOHITE DERE, J.