

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 502 OF 2022

Dhananjay Sambhaji Mane	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Ms. Priyal Sarda for the Applicant.
Mr. V. B. Konde - Deshmukh, APP for the State.

CORAM : N.R. BORKAR, J.
DATED : 18th OCTOBER 2022

P.C. :-

1. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.
2. The applicant came to be arrested in Crime No.25 of 2021 registered at Salgarvasti Police Station, Solapur for the offences punishable under Sections 307, 504 and 506 of the Indian Penal Code.
3. It is the case of the prosecution that on 22 February, 2021 at about 05.30 p.m. the present applicant assaulted to his own brother Sanjay Mane by a knife as there was a dispute between them in relation to the ancestral property.
4. I have heard the learned Counsel for the applicant and the learned APP for the State.

5. The learned counsel for the applicant submits that the applicant is in jail for more than 14 months. It is submitted that investigation is over and thus further detention of the applicant is not warranted. It is further submitted that there are no other criminal antecedents. It is submitted that applicant is not likely to abscond, if released on bail.

6. On the other hand, the learned APP for the respondent/ State submits that the applicant has assaulted his own brother by knife and attempted to kill him. It is submitted that considering the nature of the offence, the applicant may not be released on bail.

7. The applicant does not appear to be hardened criminal. No apprehension is raised that applicant would abscond, if released on bail. Considering the fact that the investigation is over and the applicant is in jail for more than 14 months, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant be released on bail in C. R. No.25 of 2021 registered at Salgarvasti Police Station, Solapur for the offences punishable under Sections 307, 504 and 506 of the Indian Penal Code on furnishing P.R. Bond in the sum of Rs.15,000/- (Rs. Fifteen Thousand only) with one surety in the like amount.

(N.R. BORKAR, J.)