

Versus

The State of Maharashtra ... Respondent

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Mr. Viresh Purwant alongwith Mr. Rushikesh Kale for the Applicant.
Ms. M.M. Deshmukh, APP for the State.

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CORAM: N.R. BORKAR, J.

DATED : 11 NOVEMBER 2022

P.C. :-

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. 19 of 2021 registered at Jodhbhavi Police Station, Solapur for the offence punishable under Sections 307, 326 of Indian Penal Code.

3. It is the case of the prosecution that on 10th January 2021 at about 10.00 a.m. the present applicant assaulted the complainant – Abdulhaq Mohd. Yusuf Shaikh by knife on account of some financial disputes.

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 since 22nd February 2021, the applicant is in jail. It is submitted that there are no criminal antecedents. It is further submitted that further detention of the applicant is not warranted as investigation is over. It is submitted that the applicant be released on bail.

6. On the other hand, the learned APP for the State submits that the applicant is not the permanent resident of State of Maharashtra. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. The applicant is in jail for more than 1 ½ years. There are no criminal antecedents. Considering these facts, I am inclined to release the applicant on bail by imposing certain conditions. Hence, the following order is passed :

(i) Application is allowed.

(ii) The applicant - Mahesh Narayandas Sharma be released on bail in Crime No. 19 of 2021 registered at Jodhbhavi Police Station, Solapur for the offence punishable under Sections 307, 326 of Indian Penal Code on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two local sureties in the like amount.

(iii) The applicant shall attend the concerned police station once in a month i.e. first working Saturday between 11.00 a.m. to 2.00 p.m. till the conclusion of the trial.

(N.R. BORKAR, J.)