

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

CRIMINAL BAIL APPLICATION NO. 2806 OF 2022

Ramling Chandrakant Sakat	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Vikrant Phatale, Advocate for the Applicant.

Mr. M. G. Patil, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 12th OCTOBER, 2022

PC :

1. Applicant was arrested on 12th February 2022 in connection with C.R. No.90 of 2022 registered with Foujdar Chavadi Police Station, Solapur for offences punishable under Sections 307, 323, 504, 506 read with 34 of the Indian Penal Code and Section 135 of the Maharashtra Police Act.

2. The case of the prosecution is that, on 12th February 2022, the first informant had been to the canteen at Wai Chowk along with his friend Sumit Dhotre. At that time, Ramling Sakat (Applicant), Raju Sakat and Sumit Rupnar came there. Raju Sakat caught the first informant and threatened him of dire consequences if he does withdraw the case lodged by him. The first informant was assaulted.

He managed to run away from the place of incident. He was chased by the accused. The first informant was again threatened and assaulted by the accused. Ramling Sakat (applicant) removed the razor from his pocket and attempted to give blow on his neck, which was evaded by the first informant but injury was caused to his back due to razor. First informant was taken to hospital for treatment. First Information Report was registered and investigation proceeded. On completing investigation, charge-sheet was filed.

3. Learned Advocate for the applicant submitted that, the applicant is in custody for substantial period of time. Charge-sheet is filed. Offence under Section 307 of IPC is not made out. On the contrary, the learned APP submitted that, the applicant was carrying razor in his pocket. The injured was assaulted with razor. Applicant tried to give blow on the neck of the injured, which was dodged by him and resultantly the blow fell on his back. Hence, bail may not be granted to the Applicant.

4. The applicant is in custody from 12th February 2022. Investigation is completed and charge-sheet is filed. Injury certificate of the first informant refers to abrasion on upper back. It is debatable, whether Section 307 of the IPC could be attracted. In any case, the said issue will be decided during the trial. Further detention of the applicant is not necessary. Hence, bail can be granted to the

applicant on certain conditions.

ORDER

- (i) Criminal Bail Application No. 2806 of 2022 is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R. No.90 of 2022 registered with Foujdar Chavadi Police Station, Solapur on executing PR. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant is permitted to furnish cash bail in the sum of Rs.20,000/- for a period of eight weeks in lieu of surety;
- (iv) The applicant shall attend concerned Police Station once in a month on first Saturday of month between 11.00 am. To 1.00 pm till further order;
- (v) Bail Application is disposed off.

(PRAKASH D. NAIK, J.)