

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

BAIL APPLICATION NO. 1843 OF 2021

Aditya Sanjay Pagare	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Aniket Wagal a/w. Mr. Kunal Pednekar for the Applicant.
Ms. Rutuja Ambekar, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 17th MARCH, 2022.

P. C. :-

. This is an Application under section 439 of Cr.P.C. filed by the aforesaid Applicant who is arrested in C.R.No.333/2020 registered with R.C.F. Police Station, Mumbai for offences punishable under section 307 of the Indian Penal Code.

2. Heard Mr. Aniket Wagal, learned counsel for the Applicant and Ms. Rutuja Ambekar, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The aforesaid crime against the Applicant was registered pursuant to the first information report lodged by Vicky Gaikwad. It is

the case of the complainant that on 08/10/2020, at about 09:00 p.m., while he was talking to his friend, the Applicant rushed towards him with a broken beer bottle and he inflicted a blow of broken beer bottle on his neck as a result, he sustained injuries. The medical certificate reveals that the first informant had sustained three CLW on neck which was muscle deep. He was an outdoor patient and was treated in a private hospital. The medical certificate does not indicate that the injuries were serious enough as to cause death of the first informant. Hence, prima facie, it cannot be said that the Applicant had an intention of causing death of the first informant.

4. The Applicant is a resident of Mumbai. There is no possibility of the Applicant absconding and/or thwarting the course of justice. Considering the above facts and circumstances, the Applicant is entitled for release on bail. Hence, the Bail Application is allowed on following terms and conditions :-

- (i) The Applicant who is arrested in C.R.No.333/2020 registered with R.C.F. Police Station, Mumbai, is ordered to be released on bail on furnishing PR bond in the sum of Rs. 30,000/- (Rupees Thirty Thousand Only) with one or two

solvent sureties in the like amount.

- (ii) The Applicant shall report to R.C.F. Police Station, Mumbai once in a month on every 1st Saturday between 11.00 a.m. to 01.00 p.m. until further orders;
- (iii) The Applicant shall not interfere with the complainant or any other witnesses in any manner ;
- (iv) The Applicant shall keep the Trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time.
- (v) The Applicant shall co-operate with the conduct of the trial and attend the trial Court on all dates, unless exempted.

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5. Bail Application stands disposed of in above terms.

(SMT. ANUJA PRABHUDESSAI, J.)