

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1626 OF 2022**

Pawan Mohan Ahire ... Applicant
versus
The State of Maharashtra ... Respondent

Mr. Deepak K. Girme, for Applicant.
Ms. Veera Shinde, APP, for State.
Mr. Suryakant Sakpale, Alankar Police Station, present.

CORAM: N.J.JAMADAR, J.

**DATE : 13th MAY, 2022
(VACATION COURT)**

P.C.

1. Heard the learned Advocate for the Applicant.
2. This application is preferred to enlarge the Applicant on bail. The Applicant is arraigned in C.R.No.40 of 2022 registered with Alankar Police Station for the offences punishable under Sections 307, 323, 147, 148, 149, read with Section 34 of the Indian Penal Code, 1860, Section 4, 25 of the Arms Act and Sections 37(1) and 135 of the Maharashtra Police Act, 1951, for *inter alia* having allegedly attempted to commit murder of Rohit Mahadeo Agarkhed, the first informant and caused hurt in prosecution of the common object of the unlawful assembly. The first informant alleged that on 13th April, 2022 at about 9.30 p.m., he was accosted by the

Applicant and the co-accused. The Applicant and the co-accused abused and assaulted him. The co-accused Appa Londhe took out a sickle and threatened to kill the first informant. The first informant evaded the blow of sickle aimed at him by Appa Londhe and fled away from the spot.

3. The learned Advocate for the Applicant submits that no case for the offence under Section 307 of the Code is even remotely made out. In fact, the first informant has not sustained any injury. The learned APP fairly submitted that the medical officer had not noted any injury on the person of the first informant and, therefore, no injury certificate could be obtained.

4. In any event, the charge sheet is stated to be ready to be filed before the learned Magistrate. The investigation is, thus, complete for all intent purpose. The Applicant appears to have roots in the Society. In the backdrop of the nature of the accusation, the possibility of tampering with evidence and fleeing away from justice, seems to be remote. Moreover, the marriage of the Applicant is scheduled to be solemnized on 24th May, 2022. The Applicant, thus, deserves to be enlarged on bail. Hence, the following order :

ORDER

(i) The Applicant be released on bail on furnishing a PR bond in the sum of Rs.20,000/- and one or two sureties in the like amount.

(ii) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to the prosecution witnesses.

(iii) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(iv) The Application stands disposed.

(N.J.JAMADAR, J.)