

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

BAIL APPLICATION NO.1811 OF 2022

Mr.BharatSingh KapurSingh Bavari
Age 35 yrs. Occ: Business,
R/O Guru Govind Singh Nagar,
Dist-Jalna (presently lodged in Solapur
Prison, Solapur) ...Applicant.

Versus

The State of Maharashtra
Through Jodhbhavi Peth Police
Station, Dist-Solapur being represented
by the office of the Public Prosecutor
High Court,Mumbai-400 001.Respondent.

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Mr Abhishek Yende, Advocate a/w Advocate Surbhi Agrawal a/w
Advocate Shubham Kahite for the Applicant.

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

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CORAM : R. N. LADDHA, J.

DATE : 12 DECEMBER 2022.

P.C.:

By this application, the Applicant is seeking bail in
connection with C.R.No.541 of 2021 registered at Jodhbhavi Peth

Police Station, Solapur, against the Applicant for the offences punishable under Sections 380, 454, 457, 201, 511 r/w Section 34 of the Indian Penal Code.

2. The Applicant was arrested on 19.11.2021 during the investigation. The Sessions Court rejected the application for bail filed by the Applicant.

3. Mr Abhishek Yende, learned Counsel appearing on behalf of the Applicant, submitted that the Applicant had already been languishing in jail for more than one year. He submitted that the charge sheet has already been filed on 16.2.2022, and therefore, no fruitful purpose will be served by keeping the Applicant behind bars. It is submitted that before the registration of the instant crime, there was no case registered against the Applicant. Further, he submitted that in the CCTV footage, the applicant was not seen at the time of the alleged offence.

4. Mr M.G.Patil, learned Additional Public Prosecutor appearing for the State, submitted that the offence was committed in well-planned design by the accused. The offence is serious. It is submitted that the Applicant was actively involved in the offence that led to the registration of the FIR against the accused persons.

5. This Court has perused the copy of the charge sheet filed along with the accompanying documents. The applicant has remained behind bars for more than one year. The Charge sheet is already filed. The trial will take its own time. In such circumstances, no fruitful purpose will be served by keeping the

Applicant behind bars. In the circumstances, this Court is inclined to grant bail to the Applicant. The apprehension expressed on behalf of the State that the Applicant may influence witnesses can be addressed by imposing appropriate conditions.

6. In view of the above, the application is allowed in the following terms :

- a) The Applicant BharatSingh KapurSingh Bavari be released on bail in connection with C.R.No.541 of 2021 registered at Jodhbhavi Peth Police Station, Solapur, on furnishing a P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the concerned Court.
- b) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses.
- c) The Applicant shall furnish the permanent address and contact details to the Inspector of Police, Jodhbhavi Peth Police Station and intimate the change, if any.
- d) The Applicant shall regularly attend the proceedings before the jurisdictional

Court.

e) Needless to say, violation of any of the conditions above shall make the Applicant liable for the cancellation of bail.

7. All the parties to act on an authenticated copy of this Order.

[R. N. LADDHA, J.]