

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**BAIL APPLICATION NO. 3096 OF 2022**

Vinod C. Kamble ...Applicant  
V/s.  
State of Maharashtra ...Respondent.

Mr. Ganesh Gole i/b Mr. Ateet Shirodkar for the Applicant.  
Mrs. Rutuja Ambekar, APP for the Respondent/State.

**CORAM : N.R. BORKAR, J.**  
**DATE : 05.12.2022.**

**P.C. :**

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No.627 of 2021 registered at Jat Police Station, Sangli for the offences punishable under Sections 307, 387, 506 read with 34 of the Indian Penal Code (IPC) and Sections 3, 25, 26(1), 27 (1) of the Arms Act.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.
4. The complainant and present applicant were running hotel in partnership. It is alleged that some dispute arose between them and according to the complainant the applicant was asking him to pay Rs. 20,00,000/- otherwise he would not allow to run hotel. It is alleged that on 25 November 2021 at about 10.30 p.m. the present applicant and co-accused in the present crime accosted the complainant while he was on the way to his home and took

out the country made pistol and pointed at him and thereby attempted to kill him.

5. The learned counsel for the applicant submits that due to financial dispute a false complaint came to be lodged against the present applicant. It is submitted that the applicant is in jail for more than one year and further detention of the applicant is not warranted as investigation is over and charge-sheet is filed. It is submitted that the applicant be thus released on bail.

6. On the other hand, the learned APP for the respondent/State submits that the applicant is involved in one more crime and there also he was found in possession of country made pistol. It is thus submitted that the applicant may not be released on bail.

7. Admittedly, the present applicant and the complainant were running hotel in partnership. It appears that some dispute arose between them and the present applicant was asking the complainant to pay him Rs.20 lakhs. There are no allegations that present applicant tried to shot the complainant. Considering the facts and circumstances of the case and as the applicant is in jail for more than one year, I am inclined to release him on bail on certain conditions. In the result, the following order is passed.

### **ORDER**

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No.627 of 2021 registered at Jat Police Station, Sangli for the offences punishable under Sections 307, 387, 506 read with 34 of the IPC and Section 3, 25, 26(1), 27 (1) of the Arms Act on furnishing P. R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

D] The applicant shall provide his residential address where he is going to reside after his release and mobile number to Jat police station.

E] If the applicant commits any other offence during the pendency of trial, the State is at liberty to move an application for cancellation of bail.

**[N.R.BORKAR, J.]**