



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

BAIL APPLICATION NO.21 OF 2023

DINESH @ BABU BALASO RAJMANE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Umesh Mankapure a/w Bhavika Shinde for the
Applicant.
Mr. P.H. Gaikwad, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 22, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in connection with First Information Report (FIR) No.212 of 2018 registered with Kavathe-Mahankal Police Station, District - Sangli, for the offences punishable under Section 307, 120(b), 212 read with Section 34 of the Indian Penal Code, 1860 (IPC) and Sections 3, 25 and 27 of the Arms Act.
- 3.** The FIR is dated 25/07/2018. It is the case of the prosecution that two persons came on a blue-coloured bike. The pillion rider/applicant got down and took out a pistol.

He fired at the injured witness Sonu. Sonu was taken to the hospital where first aid was given to him and thereafter was admitted to another hospital for treatment. It later transpired that it was accused Nos.1 and 4 who had given a contract to the present applicant i.e. accused No.5 to eliminate Sonu. Learned counsel for the applicant states that accused Nos. 1 to 4 have been released on bail. One of the co-accused who was riding the bike Dattatray @ Bandu Manohar Bhusnar and who was with the applicant is released on bail by this Court by an order passed in Bail Application No. 3237 of 2022. The applicant was arrested on 26/07/2018 and is now in custody for more than 5 years.

4. Learned APP vehemently opposed the application.

5. Considering that the co-accused Dattatray, who though not having an identical role but was accompanying the applicant is released on bail, as well as accused Nos. 1 to 4 are released on bail, in view of the long incarceration, I am inclined to release the applicant on bail by imposing stringent conditions. There appears to be no possibility of

trial concluding any time soon. No criminal antecedents are reported. Hence, the following order:

ORDER

- (a) Applicant- Dinesh @ Babu Balaso Rajmane shall be released on bail in connection with FIR No.212 of 2018 registered with Kavathe-Mahankal Police Station, District - Sangli, on furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount;
- (b) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence;
- (c) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change;
- (d) The applicant shall attend the Investigating Officer of the Kavathe-Mahankal Police Station, District – Sangli, once every first Monday of the month between 11.00 a.m. and 1.00 p.m.;
- (e) The applicant shall attend the trial regularly;

(f) Except for the purpose of reporting to the Investigating Officer and for attending the trial Court on the dates fixed, the applicant shall not enter the jurisdiction of District - Sangli till the conclusion of the trial;

(g) In case it is found that the applicant violates any of the conditions imposed by this Court, it is open for the prosecution to apply for cancellation of bail.

6. The application is disposed of.

(M. S. KARNIK, J.)