



Diksha Rane

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

BAIL APPLICATION NO.164/2023

MAHESH GANPAT JARAG

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Sandeep Salunkhe for the applicant.

Ms. Veera Shinde, APP for the State.

PSI D. V. Khapse, Mohol Police Station, Solapur Rural.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 20, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under Sections 307, 327, 323, 341, 504, 506 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 27/7/2022 vide C.R. No.622/2022 with Mohol Police Station, Solapur Rural.

3. There are in all three accused. The applicant is the accused no.2. The main accusations of assault are against the accused no.1 on the head of the complainant. There are

two injured witnesses. The complainant suffered grievous injuries. One of the injury which is grievous in nature is attributed to the present applicant which is a fracture on nasal bone on left side.

4. The applicant is in custody for more than thirteen months. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The incident was an outcome of the land dispute between the accused no.1 and the original complainant. It is alleged that the present applicant pushed the complainant and gave blow of wooden stick on the face of the complainant. The witnesses have stated that the applicant assaulted the complainant on the face.

5. Considering the role of the applicant and now that the applicant is in custody for more than thirteen months with no possibility of the trial commencing and concluding any time soon, the applicant can be enlarged on bail. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Mahesh Ganpat Jarag in connection with C.R. No.622/2022 with Mohol Police Station, Solapur Rural, shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Mohol Police Station, Solapur Rural, once in two months i.e. on first Monday of every alternate month between 11.00 a.m. and 1.00 p.m. commencing October, 2023.

(d) 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.

(e) 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.

(f) The applicant shall attend the trial regularly.

6. The application is disposed of.

(M. S. KARNIK, J.)