



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

BAIL APPLICATION NO.1351 OF 2023

TUKARAM SUKHDEV VHANMANE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Sharad Bhosale for the Applicant.
Mr. P.H. Gaikwad, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 21, 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 C.R. No. 1150 of 2022 dated 10/12/2022 registered with Mohol Police Station, District Solapur, for the offence punishable under Sections 307, 324, 447, 323, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code, 1860 (IPC) and Sections 4 and 25 of the Arms Act, 1959.
3. There are in all six accused. The applicant is accused No.5. The applicant was arrested on 17/12/2022. The investigation is complete and the charge sheet is filed.

There are two injured persons. It is alleged that there is a dispute over the purchase of agricultural land. The accused attacked and assaulted the injured persons. The main accused No.1 was armed with a sword and assaulted the victims. So far as the accused No.5 i.e. present applicant is concerned, it is alleged that he assaulted and injured the victims with an iron rod/stick. So far as one of the injured i.e. Laxman Subhash Deshmukh is concerned, the injuries suffered are simple in nature. So far as the injuries suffered by Subhash Tatya Deshmukh is concerned, two of the injuries are grievous in nature. These injuries are not attributed to the present applicant. A sword and a sickle were recovered at the instance of accused No.1 / Dashrath Tatya Deshmukh and accused No.3 / Rushikesh Dashrath Deshmukh respectively.

4. Learned APP submits that all the accused had assaulted the victims in furtherance of their common intention and therefore, the offence being serious in nature, the application for bail should be rejected.

5. I have gone through the charge sheet. The applicant

was armed with an iron rod/stick. In one witness's statement, it is stated that the applicant was armed with an iron rod whereas another witness stated that the applicant was armed with a stick. However, there is no recovery at the instance of the applicant.

6. Considering the role of the applicant and the fact that the applicant is 68 years of age, as the trial Court is likely to take a long time to conclude, the applicant can be released on bail by imposing stringent conditions. Hence, the following order is passed.

ORDER

(a) The applicant- Tukaram Sukhdev Vhanmane, in connection with C.R. No. 1150 of 2022 dated 10/12/2022 registered with Mohol Police Station, District Solapur, shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(b) The applicant shall report to the Investigating Officer of the Mohol Police Station, District Solapur, once a month i.e. on every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(c) 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.

(d) 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.

(e) The applicant shall not enter the jurisdiction of the Mohol Police Station, District Solapur, except for the purpose of reporting to the Investigating Officer;

(f) The applicant is at liberty to apply for relaxation of bail conditions before the trial Court after one year from today.

7. The Bail Application is disposed of.

(M. S. KARNIK, J.)