

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1623 OF 2022

Rohit Bajarang Salokhe ... Applicant

Versus

The State of Maharashtra ... Respondent

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Ms. Rui Danawala instructed by Mr. Umesh Mankapure for the Applicant.
Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 10 MARCH 2023

P.C. :-

1. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 123 of 2021 registered at Rajarampuri Police Station, Kolhapur for the offences punishable under Sections 307, 323, 143, 147, 148, 149, 341, 427, 504, 506, 188, 269, 270 of Indian Penal Code, Sections 4 r/w. 25 of the Arms Act, 1959, Section 51(b) of the Disaster Management Act, Sections 2, 3 and 4 of the Epidemic Diseases Act, Section 11 of the Maharashtra Covid-19 Regulations 2020 and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, the present applicant is a member of organised crime syndicate formed by co-accused Sairaj alias

Saiprasad Deepak Jadhav. It is alleged that on the date of incident which took place on 6 April 2021, the present applicant and other co-accused assaulted the complainant by sword, hockey stick etc. and attempted to kill him due to previous enmity.

5. There is no reference of the applicant in the statement of the complainant recorded under Section 164 of the Cr.P.C. The applicant is in jail for about two years. The learned APP submits that the applicant is involved in one more crime. However, considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Rohit Bajarang Salokhe be released on bail in Crime No. 123 of 2021 registered at Rajarampuri Police Station, Kolhapur for the offences punishable under Sections 307, 323, 143, 147, 148, 149, 341, 427, 504, 506, 188, 269, 270 of Indian Penal Code, Sections 4 r/w. 25 of the Arms Act, 1959, Section 51(b) of the Disaster Management Act, Sections 2, 3 and 4 of the Epidemic Diseases Act, Section 11 of the Maharashtra Covid-19 Regulations 2020 and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) 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 trial.

(N.R. BORKAR, J.)