



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

BAIL APPLICATION NO.1303 OF 2023

RUSHIKESH KISAN DESHMUKH ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Sharad T. Bhosale for the Applicant.

Mr. N. B. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 16, 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, 324, 323, 447, 504, 506, 143, 147, 148, 149 of the Indian Penal Code, 1860 (hereafter 'IPC' for short) and under Sections 4, 25 of Arms Act, 1959 registered on 10.12.2022 vide C.R. No.1150 of 2022 with Mohol Police Station, District Solapur.
- 3.** There are in all six accused. The applicant is the accused No.3. The applicant was arrested on 11.12.2022.

4. Learned APP opposed the application for bail. It is submitted that the applicant is accused of committing a serious offence. It is submitted that specific role is assigned to the present applicant in the assault. The applicant is accused of using a koyta. My attention is invited to the statement of the injured witness who has specifically named the applicant. My attention is invited to the order dated 07.10.2023 passed by this Court in Bail Application No.1390 of 2023 in respect of co-accused No.2- Kisan Dashrath Deshmukh. The injuries suffered by the injured witness who is alleged to have been assaulted by the present applicant are simple in nature. The applicant was arrested on 11.12.2022 and is now in custody for almost ten months. The investigation is complete and the charge-sheet has been filed. I am inclined to enlarge the applicant on bail though learned APP opposed the application for bail. I am not imposing the condition on the applicant as one imposed on co-accused Kisan Dashrath Deshmukh who is the father of the present applicant on his release of bail as it is submitted that the applicant's presence is necessary for

agricultural activities. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Rushikesh Kisan Deshmukh in connection with C.R. No.1150 of 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.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.
- (d) The applicant shall attend the Investigating Officer of Mohol Police Station, District Solapur once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- (e) 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.
- (f) 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.

5. The application is disposed of.

(M. S. KARNIK, J.)