

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2325 OF 2023

Sandesh B. Pawar ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Mr. Aniket Nikam i/b Mr. Amit Icham for the Applicant.
Mr. S.V. Gavand, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 27.10.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No.205 of 2022 registered at Sangli City Police Station, Sangli for the offences punishable under Sections 302, 201, 143, 147, 148, 149, 341, 323, 504 and 506 of the Indian Penal Code.
3. It is the case of the prosecution that on the date of incident which took place on 22 March 2022 at about 6:45 p.m., the present applicant and other co-accused assaulted the deceased by chopper, knife, and sword and committed his murder on account of previous dispute.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.

5. The bail is sought on the ground of parity. In support of the said ground, the learned counsel for the applicant has produced on record a copy of order passed by the Sessions Court dated 11 October below Exhibit 58 in Sessions Case No. 204 of 2022. By the said order, the Additional Sessions Judge has released the co-accused Raj Vishnu Patil on bail.

6. The learned APP submits that the applicant is involved in serious offence of murder. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. I have perused the statement of eye-witness Sanket Kamble. The said witness has attributed more serious role to co-accused Raj Patil. I am, therefore, inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in 205 of 2022 registered at Sangli City Police Station, Sangli for the offences punishable under Sections 302, 201, 143, 147, 148, 149, 341, 323, 504 and 506 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] Till conclusion of trial, the applicant shall not enter into the limits of District - Sangli, except to attend the dates before the trial Court.

D] The applicant shall attend the police station within whose jurisdiction, he is going to reside after his release once in a month, i.e., on first working Saturday between 11.00 a.m. to 2.00 p.m., till conclusion of the trial.

[N.R.BORKAR, J.]