



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

BAIL APPLICATION NO. 3980 OF 2023

ABHIMAN BAJIRAO SABLE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Hrishikesh S. Shinde, for the Applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 15, 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 302, 201, 323, 143, 147, 148, 149 of the Indian Penal Code, 1860 registered on 01/11/2022 vide C.R. No.295 of 2022 with Mandrup police station, Solapur.
- 3.** There are 5 accused in all. The applicant is the accused no.1. The applicant was arrested on 01/11/2022.
- 4.** Learned APP opposed the application for bail. My attention is invited to the order dated 11/09/2023 passed in Bail Application No. 1260 of 2023 in respect of co-accused

Anjana Ashok Giri which is at page 240 of the paper-book. For convenience, the relevant portion of the said order is reproduced as under :

“4. The applicant is a woman. The applicant is in custody since 01/11/2022 almost for 11 months. It is the contention that the deceased was misbehaving with the ladies, one of them is the applicant. As a result of such provocation, the accused persons assaulted the victim. So far as the applicant is concerned, the role attributed is that the applicant assaulted the victim with fist blows. Considering the role of the applicant and in the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail. There are no criminal antecedents reported against the applicant.”

5. The role attributed to the applicant is that he assaulted the victim with wooden stick and fist blows. As indicated in the aforesaid order, there is possibility that the deceased provoked the accused persons. The applicant is in custody for more than 1 year and 1 month with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. From the order passed by the trial Court, I do not find that there are any criminal antecedents to the discredit of the applicant. In the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail. Hence,

the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Abhiman Bajirao Sable in connection with C.R. No.295 of 2022 registered with Mandrup police station, 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 Mandrup police station, Solapur once in three months on every first Monday of the concerned month commencing from January 2024 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.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

6. The application is disposed of.

(M. S. KARNIK, J.)