

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 8 OF 2023**

Shubham Kanhaiyalal Chuniyan ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Jaywant Avhad for the Applicant.
Ms Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 13 MARCH 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 993 of 2021 registered at Manmad Police Station, Nashik for the offences punishable under Sections 307, 353, 294, 323, 504, 506 r/w 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. According to the prosecution, the complainant is working as a police constable. On the date of incident, which took place on 31 November 2021, he had gone to the place of incident to execute the warrant which

was issued against the applicant. It is alleged that the applicant and other co-accused got annoyed and assaulted the complainant by knife and attempted to kill him.

5. I have perused the injury certificate. The injury appears to be simple. The learned APP submits that there are other criminal antecedents against the applicant. The applicant is, however, in jail for more than one year. Considering the overall facts and circumstances, I am inclined to release the applicant on bail on certain conditions. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 993 of 2021 registered at Manmad Police Station, Nashik for the offences punishable under Sections 307, 353, 294, 323, 504, 506 r/w 34 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall not enter into the limits of Manmad city except to attend the dates before the trial Court till conclusion of the trial.
- (iv) The prosecution is at liberty to file an application for cancellation of bail, if the applicant commits any other offence.

(N.R. BORKAR, J.)