

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 160 OF 2023

Aakash Sunil Khandare ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Ashok Mundargi, Senior Advocate instructed by Mr. Varun Thokal for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 17 FEBRUARY 2023

P.C. :-

. 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. 134 of 2022 registered at Adgaon Police Station, Nashik for the offences punishable under Sections 307, 323, 504, 143, 147, 148, 149, 427 of Indian Penal Code and Section 135 of the Maharashtra Police Act.

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

4. According to the prosecution, on the date of incident, which took place on 30 May 2022, the complainant came to the food stall of co-accused Yuvraj alias Gattya Nikam to purchase certain food items. It is alleged that dispute arose between them on account of some trivial issue. It is alleged that phone call was made to the co-accused Sushant Sathe & he was called there. It is alleged that he came there with present applicant and other co-accused and assaulted the complainant by iron rod, stone etc. and attempted to kill him.

5. Prima facie, the incident does not appear to be pre-meditated. No specific overt act is attributed to the present applicant. There are no other criminal antecedents. 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 - Aakash Sunil Khandare be released on bail in Crime No. 134 of 2022 registered at Adgaon Police Station, Nashik for the offences punishable under Sections 307, 323, 504, 143, 147, 148, 149, 427 of Indian Penal Code and Section 135 of the Maharashtra Police Act, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
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