

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 454 OF 2023**

Prathmesh @ Ganesh Lahu Mali ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Anant Vadgaonkar a/w Mr. Chandrashekhar Patil for the Applicant.
Ms Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 3 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. 178 of 2022 registered at Igatpuri Police Station, Nashik Rural for the offences punishable under Sections 307, 326, 323, 143, 147, 148, 504, 149 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, on the date of incident, which took place on 19 December 2022, the present applicant and other co-accused assaulted the complainant and her family members and injured Aman

Kharke by sharp weapons on account of previous dispute and attempted to kill them.

5. The first Informant, who is the eye-witness to the incident has not named the applicant as one of the assailants. I have perused the statement of other injured witnesses. They have not attributed any specific overtact 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 shall be released on bail in Crime No. 178 of 2022 registered at Igatpuri Police Station, Nashik Rural for the offences punishable under Sections 307, 326, 323, 143, 147, 148, 504, 149 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.

(N.R. BORKAR, J.)