



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

BAIL APPLICATION NO. 695 OF 2023

Mr. Tushar @ Abhit Santosh Dubey ..Applicant
VS.
State of Maharashtra ..Respondent

Mr. Piyush S. Chhabria a/w Mr. Pravin D. Kukreja, for the applicant.
Mr. P. H. Gaikwad, APP for the State.
PSI-Mr. B.G.Pawar, Kalyan Taluka Police Station present.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 29, 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 307, 326, 143, 147, 149, 427 of the Indian Penal Code, 1860, under sections 4 and 25 of the Indian Arms Act registered on 01/11/2021 vide C.R. No.570 of 2021 with Kalyan Taluka Police Station, District-Thane Rural.
- 3.** The incident is dated 01/11/2021. The applicant is arrested on 16/11/2021. There are in all 10 accused. The applicant is the

accused no. 4. It is alleged that the accused assaulted the victim with sickle on head. The medical certificate which is on page 108 discloses that site of the injury is parietal area. The injury is grievous in nature and the same is caused by hard and blunt object.

4. The applicant is in custody since 16/11/2021, almost for 1 year and 10 months. There is no recovery at his instance. The trial is likely to take a long time to conclude. There are no criminal antecedents reported against the applicant. Though learned APP opposed the application for bail, in the facts and circumstances of the present case and as the investigation is complete, charge-sheet is filed, I am inclined to allow the application. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Tushar @ Abhit Santosh Dubey in connection with C.R. No. 570 of 2021 registered with Kalyan Taluka Police Station, District-Thane Rural shall be released on bail on his furnishing P.R. Bond of Rs.30,000/- with one or two solvent sureties in the like amount.
- (c) The applicant shall attend the investigating officer of

the Kalyan Taluka Police Station once in a month on every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall keep the investigating officer informed of this current address and mobile contact number and/or change of residence or mobile details, if any, from time to time.

(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.

5. The application is disposed of.

(M. S. KARNIK, J.)