

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 934 OF 2022**

Swapnil Prakash Khonde

...Applicant

Versus

State Of Maharashtra

...Respondent

Mr. Mahesh M. Funde for the Applicant.

Mr. Y. Y. Dabke, APP, for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 26th SEPTEMBER 2023.

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P.C. :

1. By this application, applicant is seeking bail in C. R. No. 78 of 2021 registered with Badlapur -(East) Police Station, Thane for the offence punishable under Section 307 of Indian Penal Code (for short "IPC").

2. It is prosecution's case that applicant had assaulted complainant with knife on his neck and wrist.

3. It is contention of learned counsel for the applicant that applicant is behind bar for more than twenty eight months.

Investigation is completed and charge-sheet has been filed. Medical report does not show that when complainant was admitted in the hospital, the injuries caused to the complainant were life threatening. Hence, requested to allow the application.

4. Learned APP submitted that applicant had assaulted on neck and wrist of complainant with cutter. The said cutter is recovered from the applicant. If applicant is released on bail, he may threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel. Perused FIR and charge-sheet.

6. Allegations against the applicant that he had assaulted the complainant with cutter on his neck and wrist. There are three medical certificates of the complainant. Investigation is completed and charge-sheet has been filed. Applicant is behind bar for more than twenty eight months.

7. Considering the above facts, applicant's further detention is not required.

8. In view of above, I pass following order:-

ORDER

(i) Applicant be enlarged on bail in Crime No. 78 of 2021 registered with Badlapur (East) police station, Thane, on executing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(ii) Applicant shall attend the concerned police station once in a month i.e. on first Saturday between 11:00 a.m. to 2:00 p.m. till framing of charge.

(iii) Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(iv) The Trial Court shall decide the said case on its own merits, in accordance with law uninfluenced by the observations made in this order.

9. The application is allowed in the aforesaid terms and is accordingly disposed of.

10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)