

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

CRIMINAL BAIL APPLICATION NO. 1098 OF 2022

Mayur Balasheb Pansare

...Applicant

V/s.

The State of Maharashtra

... Respondent

NILAM
SANTOSH
KAMBLE

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Ms.Shubhangi Parylekar a/w Mr.Abhijeet V. Ghule Patil, for the
Applicant.

Ms.P.N. Dabholkar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th SEPTEMBER 2023

P.C:-

. By this Application, Applicant is seeking bail in
Crime No.262 of 2021 registered with Pimpri Police Station,
Pune, for the offences punishable under Sections 302, 307, 504
and 506 read with Section 34 of the Indian Penal Code ('IPC' for
short) and Section 4(25) of Arms Act.

2. The prosecution's case in brief is that, the co-accused
Shubham Rathod and Aditya Rathod assaulted the deceased with
scythe. It is alleged that, Applicant was holding knife in his hand
and the Applicant assaulted deceased with fist and blows also. In

First Information Report no name of Applicant was mentioned later on in supplementary statement his name is mentioned. The role attributed to the Applicant is that, he assaulted deceased with fist and blows. There is no recovery at the instance of Applicant. The Applicant is behind bar more than two years. Hence, requested to allow the Application.

3. It is contention of the learned APP that, the Applicant was involved in the Crime. He assaulted the deceased with fist and blows. Moreover, the car in which co-accused and Applicant had come on the incident spot was brought by the Applicant, it shows his involvement in the crime. Hence, requested to reject the Application.

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

5. Admittedly, the name of the Applicant was not mentioned in FIR, later on in the supplementary statement his name is added. The allegation's against the Applicant are that, he beaten up deceased with fist and blows. The cause of death of deceased is due to grievous injuries sustained by him. There is no

recovery at the instance of the Applicant. The Applicant is behind bar more than 3 years. There is no likelihood of conclusion of trial in near future. Considering above facts further detention of the Applicant is required.

6. In view of above, I pass following order.

ORDER

- (i) The Applicant be released on bail in Crime No.262 of 2021 registered with Pimpri Police Station, Pune on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) After his release from jail the Applicant shall attend the Pimpri Police Station, Pune once in a month i.e. on every 1st Monday of the month between 11.00 a.m. to 3.00 p.m. till the framing of charge.
- (iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iv) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)