

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 881 OF 2023

Kunal Pandurang Gandale
V/s.

...Applicant

The State of Maharashtra

...Respondent

Dr. Uday Warunjikar a/w Mr. Siddhesh Pilankar for the Applicant.
Mr. P.H. Gaikwad, APP for the Respondent/State.
API Vilas Sutar, Mundhwa Police Station, Pune City.

CORAM : N.R. BORKAR, J.
DATE : 04.05.2023

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No. 155 of 2018 registered at Mundhwa Police Station, District Pune, for the offences punishable under Sections 302, 326, 109 read with 34 of the Indian Penal Code (IPC).
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 the alleged incident, which took place on 23 June 2018 the present applicant and other co-accused assaulted the deceased by sticks and committed his murder on account of some previous dispute.
5. The applicant is in jail for about Five years. The trial is still at

the stage of framing of charge. Learned APP submits that the applicant is involved in one more crime for the offences punishable under section 324 read with 34 of IPC. However, considering the overall facts and circumstances, I am inclined to release the applicant on bail by imposing certain conditions. In the result, the following order is passed.

ORDER

- A] Bail Application is allowed.
- B] The applicant be released on bail in C.R. No. 155 of 2018 registered at Mundhwa Police Station, District Pune, for the offences punishable under Sections 302, 326, 109 read with 34 of the Indian Penal Code, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- C] The 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 conclusion of the trial.
- D] The applicant shall not tamper with the prosecution evidence.

[N.R.BORKAR, J.]