



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

BAIL APPLICATION NO. 926 OF 2023

MOHIT @ GONDYA PANDURANG
MORE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Ashley Cusher for the Applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 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 Section 307 of the Indian Penal Code registered on 31/08/2022 vide C.R. No.87 of 2022 with Safale Police Station, Palghar.

3. The accusation is that the applicant assaulted the injured witness with blade. The injury inflicted is undoubtedly grievous in nature.

4. Learned APP opposed the application and submitted that the accusations are serious in nature and hence the

applicant should not be enlarged on bail.

5. There are no criminal antecedents reported against the applicant. Learned counsel for the applicant submitted that having regard to the nature of the accusations possibility of the applicant being provoked by the injured witness cannot be ruled out. The applicant was arrested on 02/09/2022 and is now in custody almost for the period of 1 year and 2 months. The applicant does not appear to be a flight risk. The applicant was 19 years of age at the relevant time. Looking at the age of the applicant and in the facts and circumstances of the present case, though the application is opposed by the learned APP, I am inclined to enlarge the applicant on bail by imposing stringent conditions, considering the injured witness residing in the Palghar district. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Mohit @ Gondya Pandurang More in connection with C.R. No.87 of 2022 registered with Saphale Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more

sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Saphale police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) 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.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the Palghar District after being released on bail, till the trial concludes.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

6. The application is disposed of.

(M. S. KARNIK, J.)