



Diksha Rane

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

BAIL APPLICATION NO.1055/2023

CHAND VASIM PATHAN

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Shifa Khan a/w. Adv. Gaurav Bhawnani i/b. Adv. Abdul
Wahab Khan for the applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 30, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant.
- 2.** Learned APP for the State while opposing the application contended that there are as many as four persons injured as a result of assault by the present applicant.
- 3.** This is an application for bail in respect of the offence punishable under Sections 307, 326, 504, 506 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) read with 37(1)(A) read with Section 135 of the Bombay Police Act, 1951 registered on 22/2/2022 vide C.R. No.64/2022 with

Shivaji Nagar Police Station.

4. The date of the incident is 21/2/2022. The applicant had previous animosity with one of the victims. According to the applicant, the victim had filed false case of theft against the applicant. The applicant was annoyed because of this fact. On the day of the incident, the applicant assaulted these four persons with a knife. The injury certificates on record reveal that two of the victims suffered grievous injuries.

5. The applicant was arrested on 22/2/2022 and is in custody for more than one year and nine months with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. Though the application is opposed by learned APP, in my opinion, in the facts and circumstances of the present case, the applicant can be enlarged on bail by imposing conditions. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Chand Vasim Pathan in connection with C.R. No.64/2022 registered with Shivaji Nagar 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 Shivaji Nagar police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m. till the trial concludes.

(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 jurisdiction of Shivaji Nagar Police Station 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.

(h) The applicant shall surrender his passport, if any, to the investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)