



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

BAIL APPLICATION NO. 949 OF 2023

RAJ RAVINDRA PARAB	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

Mr. Veerdhawal Deshmukh for the Applicant.
Mr. N. B. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 12, 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 Sections 302, 307, 143, 147, 148, 149 of the Indian Penal Code read with Section 25(1) of the Indian Arms Act read with Sections 37(1) and 135 of the Maharashtra Police Act registered on 29/10/2017 vide C.R. No.206 of 2017 with Wagale Estate Police Station, District Thane.
- 3.** The date on which the alleged incident took place is

28/10/2017 at 10.30 pm. The applicant is accused No.1 There are in all 11 accused out of which 10 are arrested and 1 is absconding. 5 of the accused are enlarged on bail. The applicant was arrested on 31/10/2017 and is now in custody for more than 5 years and 10 months. Even the charge has not been framed.

4. Learned APP opposed the application. It is pointed out that the assault was brutal. The accused were armed with swords, steel pipes, rods etc. and have brutally assaulted the victim.

5. Though the eyewitnesses have stated that the applicant assaulted the victim with a sword, what was recovered from the applicant was a steel rod. No doubt, there are eyewitnesses who have stated that the applicant was armed with a sword and has assaulted the victim. There are no criminal antecedents reported against the present applicant. The investigation is complete and the charge-sheet has been filed. Learned APP apprehended that as there are eyewitnesses who will feel threatened if the applicant stays in the same area after being released on

bail. In this view of the matter, and in the facts and circumstances of the present case, considering that the applicant has been incarcerated for more than 5 years and 10 months with no possibility of trial concluding any time soon and as even the charge has not been framed, the applicant can be enlarged on bail by imposing stringent conditions. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Raj Ravindra Parab in connection with C.R. No. 206 of 2017 registered with Wagale Estate 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 Wagale 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 Thane District after being released on bail, till the trial concludes.

6. The application is disposed of.

(M. S. KARNIK, J.)