



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

BAIL APPLICATION NO. 1171 OF 2023

VISHAL KESHAV BANSODE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Abdul Wahab Shaikh i/b Adv. Mohd. Umar kazi for the
Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.
DATE : NOVEMBER 04, 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 395, 394, 504 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 20/06/2021 vide C.R. No.357 of 2021 with Kalyan Taluka Police Station, Thane.
- 3.** The date of the incident is 20/06/2021. There are in all 5 accused. The applicant is accused No.2. All other accused are enlarged on bail. It is the case of the prosecution that the accused stopped the truck of the informant. They were equipped with deadly weapons. They

assaulted the informant and his assistant. They also snatched one mobile and Rs.3500/- cash from the informant.

4. Learned APP opposed the application on merits as well as on the grounds that there are 3 criminal antecedents reported against the present applicant. The first antecedent is registered vide C.R. No. 37 of 2016 under Sections 279, 337, 338 and 427 of the IPC. The second antecedent is registered vide C.R. No. 317 of 2020 under Sections 326, 323, 504, 506 of the IPC and the third antecedent is registered vide C.R. 358 of 2021 under Sections 394 and 427 of the IPC.

5. In my opinion, the antecedents by itself would not be sufficient to deprive the applicant the facility of bail, having regard to the facts and circumstances of the present case and considering that the applicant is now in custody since 20/06/2021 for more than 2 years and 4 months as an undertrial. The applicant is also entitled for bail on the ground of parity as all other co-accused have been enlarged on bail. The investigation is complete and the charge-sheet has been filed. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Vishal Keshav Bansode in connection with C.R. No. 357 of 2021 registered with Kalyan Taluka 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 Kalyan Taluka police station, twice a month, every first and third Saturday 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/her contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.
- (f) 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.)