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

BAIL APPLICATION NO.1431 OF 2023

DASHRATH BADHAN SAW

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Shriniwas C. Singh i/b. Adv. Nitesh Singh for the
applicant.

Ms. Veera Shinde, APP for the State.

PSI A. S. Jadhav, Ghatkopar Police Station, Mumbai.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 11, 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
(hereafter 'IPC' for short) registered on 30.03.2022 vide
C.R. No.156 of 2022 with Ghatkopar Police Station.

3. Learned APP opposed the application for bail and
invited my attention to the injury certificate dated
08.12.2023 issued by Dr. Khushal Savla from Kamdar
Nursing Home and Polyclinic Pvt. Ltd. The final diagnosis is

head injury, cerebral concussion, two CLW's on occipital region of distal phalanges of right middle and ring finger. There are two CLW's over the occipital region, bone deep 3 X 3" in size. Both are same size adjoining each other. There is one injury on the right hand, swelling, abrasions. The fracture is reported on the middle and ring finger. The assault was by a cement brick.

4. The applicant was arrested on 31.03.2022 and is now in pre-trial custody for more than one year and eight months. The charge has not yet framed. There are no criminal antecedents reported against the applicant. In the facts and circumstances of the present case I am inclined to enlarge the applicant on bail though learned APP opposed the application for bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Dashrath Badhan Saw in connection with C.R. No.156 of 2022 registered with Ghatkopar 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 is permitted to furnish cash bail surety in the sum of Rs.25,000/- for a period of 8 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of Ghatkopar Police Station once in three months every first Monday of the concerned month between 11.00 a.m. and 1.00 p.m. commencing January 2024.

(e) 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.

(f) 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.

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

5. The application is disposed of.

(M. S. KARNIK, J.)