

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1158 OF 2023

Sarjit Hushare Zanzote	...Applicant
V/s.	
The State of Maharashtra	...Respondent

Mr. Vishwajit N. Sagare for the Applicant.
Ms. Veera Shinde, APP for the Respondent/State.
API Bhamare, Upnagar Police Station, Nashik.

CORAM : N.R. BORKAR, J.
DATE : 02.05.2023

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No. 63 of 2023 registered at Upnagar Police Station, Nashik City, for the offences punishable under Sections 307, 326 and 309 of the Indian Penal Code (IPC).
3. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.
4. According to the prosecution, the mother of the complainant had illicit relations with the present applicant. It is alleged that on the date of the incident, which took place on 17 February 2023, a dispute arose between the mother of the complainant and the present applicant and during the said dispute, the present

applicant assaulted the complainant's mother with a knife and attempted to kill her. According to the prosecution, the complainant was also assaulted when she tried to rescue her mother from the assault.

5. It appears from the injury certificate produced on record that the applicant was also injured in the incident in question and was hospitalised for one month.

6. The learned APP submits that the injuries which were found on the persons of the applicant were self inflicted.

7. Be that as it may, *prima facie* the incident does not appear to be pre-mediated. There are no criminal antecedents. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Application is allowed.

B] The applicant- Sarjit Hushare Zanzote, be released on bail in C.R. No. 63 of 2023 registered at Upnagar Police Station, Nashik City, for the offences punishable under Sections 307, 326 and 309 of the IPC, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not enter into the jurisdiction of Upnagar Police Station till conclusion of the trial.

D] The applicant shall not contact the complainant or her mother directly or indirectly.

E] The applicant shall not tamper with the prosecution evidence.

F] The prosecution is at liberty to file an application for cancellation of bail, if the applicant commits breach of any of the above mentioned conditions.

[N.R.BORKAR, J.]