



Diksha Rane

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

BAIL APPLICATION NO.1212 OF 2023

RAJ @ NAUGHTY GOVIND KUTUMBRE ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Charan Penthalia a/w. Adv. Amandeep Singh for the
applicant.

Ms. Veera Shinde, APP for the State.

PSI Pravin Khochare, Vitthalwadi Police Station, Thane City.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 1, 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 307, 141, 143, 147, 148, 149 of
the Indian Penal Code (hereafter 'IPC' for short) read with
Section 4, 25 of the Indian Arms Act read with Sections
37(1), 135 of the Maharashtra Police Act registered on
16/4/2021 vide C.R. No.I-105/2021 with Vitthalwadi Police
Station, Thane City.

3. There are in all three accused. The applicant is the
accused no.2. According to the injured witness, the

applicant has assaulted him with a wooden stick. The other accused are attributed the role of assault by sword, koyta and chopper.

4. Learned APP opposed the application for bail.

5. The applicant was arrested on 17/4/2021 and is incarcerated as an under-trial for more than two years and seven months. The possibility of the trial commencing any time soon in the near future is remote. 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. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Raj @ Naughty Govin Kutumbre in connection with C.R. No.I-105/2021 registered with Vitthalwadi Police Station, Thane City, 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 6 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of Vitthalwadi police station, Thane City, once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m. till the trial concludes.

(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) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the jurisdiction of Vitthalwadi Police Station, Thane City, after being released on bail, till further orders of the trial Court.

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

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

6. The application is disposed of.

(M. S. KARNIK, J.)