

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1186 OF 2023

1] Aalekh Tirth Pradhan
2] Rupak Tirth Pradhnan ... Applicants
Versus
The State of Maharashtra ... Respondent

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Mr. Jagdish Choudhury for the Applicants.
Ms. Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 4 MAY 2023

P.C. :-

1. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicants came to be arrested in Crime No. 242 of 2022 registered at Hinjewadi Police Station, Pune for the offences punishable under Section 307 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, the injured and the applicant No.1 were working in the same company. The injured was in search of

rented room and he told about it to the applicant No.1. The applicant No.1 told him to stay with him. The applicant No.2 is the brother of the applicant No.1. It is alleged that applicant Nos.1 and 2 used to frequently quarrel with each other. It is alleged that on the date of incident, which took place on 18 March 2022, the applicant Nos. 1 and 2 were drinking liquor and were quarreling with each other. It is alleged that when the injured was trying to pacify them, they assaulted him by liquor bottle and attempted to kill him.

5. *Prima facie*, the incident does not appear to be pre-meditated. The applicants are in jail for more than one year. Considering overall facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to release the applicants on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant No.1 - Aalekh Tirth Pradhan and applicant No.2 - Rupak Tirth Pradhan be released on bail in Crime No. 242 of 2022 registered at Hinjewadi Police Station, Pune for the offences punishable under Section 307 r/w. 34 of Indian Penal Code, on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount.
- (iii) The applicants shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(N.R. BORKAR, J.)