



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

BAIL APPLICATION NO.1293 OF 2023

AJAY ARUN KATHAWADE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Keshav Chavan i/b. Adv. Anita Marbhal for the
applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 31, 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 392, 397 read with 34 of the
Indian Penal Code (hereafter 'IPC' for short) registered on
21/10/2020 vide C.R. No.349/2020 with Wadala T. T. Police
Station.

3. The complainant alleged that he was assaulted by two
unknown persons. The complainant alleged that it is the
applicant who stabbed him and took out the mobile phone

from his pocket. The complainant suffered grievous injury. The applicant at the relevant time was a student and 19 years of age. The knife was recovered at his instance.

4. The applicant is a resident of Mumbai. The applicant is in custody for more than 2 years and 11 months with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. In my opinion, the applicant does not appear to be a flight risk. The applicant can be enlarged on bail in the facts and circumstances of the present case by imposing stringent conditions. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Ajay Arjun Kathawade in connection with C.R. No.349/2020 with Wadala T. T. 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 Wadala T. T. police station once in a month every first Monday 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 contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

5. The application is disposed of.

(M. S. KARNIK, J.)