

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

BAIL APPLICATION NO. 1635 OF 2022

Dipankar Dayal Mandal ..Applicant
VS.
The State of Maharashtra ..Respondent

Adv. Shrushti Singh h/f Adv. Madan Gupta for the Applicant.

Mr. S. V. Gavand, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 3, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant and the learned APP.
- 2.** This is an application for bail by the applicant- Dipankar Dayal Mandal in connection with C.R. No.720 of 2020 dated 15/06/2020 registered with Sakinaka Police Station, under sections 302, 341, 143, 145, 148 of the Indian Penal Code, 1860.
- 3.** The applicant was arrested on 17/06/2020 and since then is in custody for almost two and half years. It is alleged that the deceased had stolen a mobile phone belonging to the labourers and after keeping the same at a secret place, the deceased again came to the place where

the labourers including the applicant was residing. The applicant along with 7 to 8 persons got hold of him and assaulted him. Due to the assault the deceased died. The deceased was assaulted by a pipe. When the assailants realised that the condition of the deceased is serious they splashed water on his face and ran away.

4. Learned counsel for the applicant pointed out that so far as the eyewitness – Jitendra Kumar Pandey is concerned, in the test identification parade he has identified 6 accused but not the applicant.

5. Considering the nature of the allegations and the fact that the applicant is in custody for almost more than two and half years with possibility of the trial not concluding any time soon, no purpose will be served by prolonging the custody of the applicant. In this view of the matter, the applicant can be released on bail. No criminal antecedents are reported against the applicant. Hence, the following order.

: ORDER :

(a) Applicant- Dipankar Dayal Mandal shall be released on bail in connection with C.R. No.720 of

2020 dated 15/06/2020 registered with Sakinaka Police Station, on furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(b) 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.

(c) 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.

(d) The applicant shall report to the concerned police station once in a month i.e. on first Monday between 10.00 a.m. and 01.00 p.m.

6. The Bail Application is disposed of.

(M. S. KARNIK, J.)