



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

BAIL APPLICATION NO. 1390 OF 2023

KISAN DASHRATH DESHMUKH ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Sharad T. Bhosale for the Applicant.
Ms. Veera Shinde, APP for the State.
PSI Sudhir Kharge, Mohol Police Station, Solapur.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 07, 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 C.R. No. 1150 of 2022 dated 10/12/2022 registered with Mohol Police Station, District Solapur, for the offence punishable under Sections 307, 324, 447, 323, 504, 506, 143, 147, 148 and 149 of the Indian Penal Code, 1860 (IPC) and Sections 4 and 25 of the Arms Act, 1959.
- 3.** There are in all six accused. The applicant is accused No.2. The applicant was arrested on 17/12/2022. The

investigation is complete and the charge sheet is filed. There are two injured persons. It is alleged that there is a dispute over the agricultural land. The accused attacked and assaulted the injured persons. The main accused No.1 was armed with a sword and assaulted the victims. So far as the accused No.2 i.e. present applicant is concerned, it is alleged that he assaulted and injured the victim - Laxman with a sword. So far as one of the injured i.e. Laxman Subhash Deshmukh is concerned, the injuries suffered are simple in nature.

4. Learned APP submits that all the accused had assaulted the victims in furtherance of their common intention and therefore, the offence being serious in nature, the application for bail should be rejected.

5. I have gone through the charge sheet. The applicant was armed with a sword. The injuries suffered by the victim are simple in nature. There is a recovery of a sword at the instance of the applicant. There are no criminal antecedents reported against the applicant. Considering that the investigation is complete and the charge-sheet has

been filed and the applicant has been in custody almost for 10 months, as the trial is likely to take a long time to conclude, the applicant can be enlarged on bail. Learned APP is justified in submitting that the applicant and the complainant are related to each other and having a dispute over the agricultural field, stringent conditions need to be imposed. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Kisan Dashrath Deshmukh, in connection with C.R. No. 1150 of 2022 registered with Mohol 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 report to the Investigating Officer of the Mohol Police Station, once a month i.e. on 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.

(f) Except for the purpose of reporting to the Investigating Officer and for attending trial the applicant shall not enter Mohol Taluka, District Solapur, till further orders of the trial Court.

6. The application is disposed of.

(M. S. KARNIK, J.)