

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2129 OF 2023

Gorakh Ashok Dalimbkar ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Niranjan Mundargi alongwith Mr. Abhishek Arote instructed by Mr. Satyam Nimbalkar for the Applicant.
Mr. S.V. Gavand, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 16 OCTOBER 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 applicant came to be arrested in Crime No. 158 of 2019 registered at Ranjangaon Police Station, for the offences punishable under Sections 302, 307, 504, 506 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. It is the case of prosecution that, on 3 May 2019 on account of previous enmity the present applicant alongwith other co-accused assaulted the deceased by iron rod and sticks and committed his murder.

5. The applicant is in jail for about 4½ years. The trial has not yet commenced. There are no other criminal antecedents. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant - Gorakh Ashok Dalimbkar be released on bail in Crime No. 158 of 2019 registered at Ranjangaon Police Station, for the offences punishable under Sections 302, 307, 504, 506 r/w. 34 of Indian Penal Code, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall not tamper with the prosecution witnesses.
- (iv) The applicant 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.)