



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

BAIL APPLICATION NO. 1834 OF 2023

MAHENDRA RAMESH DESAIKAR

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Vinod Utekar, for the Applicant.

Ms. Veera Shinde, APP for the State.

PSI-Nana Landge, Khadkpada Police Station present.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 29, 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 307, 323, 326, 452, 504, 506 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered vide C.R. No.I-505 of 2022 dated 19/12/2022 with Khadakpada Nagar Police Station.

3. The applicant is in custody for more than 8 months. It is alleged that the complainant is a neighbour of the applicant. The

applicant is accused no.1. There are in all 4 accused. There was some dispute over construction activity going on in the premises of the complainant. It is alleged that the applicant barged inside the house of the complainant. In the CCTV footage, it is recorded that the applicant barged in the house with koyta like weapon. The medical certificate reveals that the injury suffered by the complainant is in occipital region of the brain and the nature of the injury is shown to be simple.

4. There are antecedents reported against the applicant. However, the antecedents are not such that the applicant be denied the facility of bail. Nonetheless, it is necessary to impose stringent conditions while enlarging him on bail. The investigation is complete. The charge-sheet has been filed. The applicant does not appear to be a flight risk. The trial is likely to take a long time to conclude.

5. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Mahindra Ramesh Desaiakar in connection with C.R. No. I-505 of 2022 registered with Khadakpada Nagar Police Station, Kalyan shall be released

on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Khadakpada Nagar, Kalyan 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.

(f) The applicant shall stay out of the jurisdiction of the Kalyan Taluka till the conclusion of the trial except for attending Investigating Officer and for attending the trial on the dates fixed.

6. The application is disposed of.

(M. S. KARNIK, J.)