

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

CRIMINAL BAIL APPLICATION NO. 2195 OF 2022

1. Ramchandra Baliram Budruk & ...Applicants
2. Satish Madhukar Mote

V/s.

State of Maharashtra ... Respondent

Mr. Tejas Hilage, for the Applicants.
Mr. A.A. Palkar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th OCTOBER 2023

P.C:-

1. By this Application, Applicant is seeking bail in Crime No.112 of 2022 registered with Mohol Police Station, Solapur, for the offence punishable under Sections 307, 327, 427, 323, 504, 506, 143, 147, 148, 149 of the Indian Penal Code ('IPC' for short).

2. It is prosecution's case that, first informant is having agency of Hindustan Lever Products. He used to supply grocery products to various stores in Mohol Taluka. On 8th February 2022 at about 2.00 p.m. Saddam Shaikh the boy who

accompanied with temp for supply of grocery, informed him that, while supplying grocer's in Village Valuj, one Ganesh Mote and other co-accused abused, threatened and assaulted him and tempo driver Kailas. Therefore, informant went to the incident spot, there Applicant and other co-accused assaulted him with stone and poured diesel on him and tried to commit his murder by setting him on a fire, but police came on the spot and rescued him. It is alleged that Applicant and co-accused broken the glasses of tempo.

3. It is further alleged that, Applicant and co-accused took first informant's bag containing Rs.1,62,897/- forcefully. Police arrested the Applicant's in connection with the present crime.

4. It is contention of the learned counsel for the Applicant's that, Applicant's have been falsely implicated in this case. The other co-accused have been released on bail. In the said incident no injuries were caused to the first informant. Applicant's are behind bar more than 20 months. Investigation is

completed and charge-sheet has been filed. Hence, requested to allow the Application.

5. It is contention of the learned APP that, Applicant's had assaulted the Complainant. They had tried to set him on fire by pouring diesel on him. There is *prima facie* case against the Applicant's. Hence, requested to reject the Application.

6. I have heard both learned counsel. Perused FIR and charge-sheet.

7. The allegations against the Applicant's are that, they had assaulted the Complainant with stone and poured diesel on him and tried to set him on fire. The other three co-accused have been released on bail by the trial Court. The Applicant's are behind bar about 20 months. Investigation is completed and charge-sheet has been filed.

8. Considering the above, no further detention of the Applicant's is required.

9. In view of above, I pass following order.

ORDER

(i) The Applicant No.1 Ramchandra Baliram Budruk & Applicant No.2 Satish Madhukar Mote, be released on bail in Crime No.112 of 2022 registered with Mohol Police Station, Solapur, on furnishing PR bond of Rs.25,000/- with one or two sureties in the like amount.

(ii) After his release from jail the Applicant's shall attend the Mohol Police Station, Solapur once in a month i.e. on every 1st Monday of the month between 11.00 a.m. to 3.00 p.m. till framing of charge.

(iii) The Applicant's shall not tamper with the evidence and/or influence the prosecution witnesses.

(iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.

(v) Application is allowed in the aforesaid terms.

NILAM
SANTOSH
KAMBLE
Digitally signed
by NILAM
SANTOSH
KAMBLE
Date:
2023.10.10
18:14:25 +0530

(SHIVKUMAR DIGE, J.)