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

BAIL APPLICATION NO.2069 OF 2023

JOSHWA @ JOSHEF RAJU MATHEW ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Ganesh Bhujbal for the Applicant.
Mr. S. H. Yadav, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 1, 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, 333, 353, 323, 427, 504, 506, 143, 148, 149 of the Indian Penal Code, 1860 (hereafter 'IPC' for short) registered vide C.R. No.43 of 2021 with Nerul Police Station, Navi Mumbai.
- 3.** The FIR was registered on 01.02.2021. The applicant was arrested on 01.02.2021. The applicant is 23 years of age. The informant approached the group of 20 to 25 boys who were shouting loudly and enquired as to why they were

standing there. The informant told them that he is from the police department. The informant called the beat marshal on his mobile. It is alleged that the applicant assaulted the informant with a glass bottle on his head and caused the injury.

4. Learned APP while opposing the application on merits also submitted that the restriction should be put on the presence of the applicant within the area of Nerul Police Station.

5. I have gone through the injury certificate. The injury appears to be simple in nature. The accusations are no doubt serious. However, considering that the applicant is 23 years of age and in custody almost for more than 2 ½ years with possibility of the trial concluding any time soon seems remote, the applicant can be enlarged on bail. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Joshwa @ Joshef Raju Mathew in connection with C.R. No.43 of 2021 registered with Nerul 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 attend the Investigating Officer of Nerul Police Station twice a month i.e. on 1st and 3rd Monday of every month between 11.00 am and 1.00 pm.

(d) The applicant shall not enter the area of Nerul Police Station except for the purpose of attending the trial and for reporting to the Investigating Officer till the framing of charge.

(e) 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.

(f) 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.

6. The application is disposed of.

(M. S. KARNIK, J.)