



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

BAIL APPLICATION NO. 2178 OF 2023

1] ANAND SHIVRAM DHANGAR

2] JATIN NAGESH BHOIR

3] PANESH BHIMAPPA BHOIR

..APPLICANTS

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Pradeep Singh for the Applicants.

Mr. Y. Y. Dabke, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 20, 2023

P.C. :

1. Heard learned counsel for the applicants and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under Sections 452, 307, 387, 143, 144, 146, 147, 148, 149, 324, 323, 504, 427, 506(2), 120-B read with 34 of the Indian Penal Code registered on 15/01/2022 vide C.R. No.26 of 2022 with Dahisar Police Station, Mumbai.

3. The applicants were arrested on 15/01/2022. It is the

case of the prosecution that the accused persons who were eight in number, have assaulted 2 injured victims. Applicants who are accused Nos. 2, 3 and 5 herein are not the actual assailants. There is no recovery at the instance of the present applicants. There are no criminal antecedents reported against the applicants.

4. Learned APP opposed the application and submitted that the applicants were present at the time of the incident along with the other accused.

5. Though learned APP opposed the application for bail, in the facts and circumstances of the present case, considering that the applicants are in custody for 1 year and 11 months as undertrials and as the trial is likely to take a long time to conclude, I am inclined to enlarge the applicants on bail. The investigation is complete and the charge sheet is filed. The applicants are not a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicants- Anand Shivram Dhangar, Jatin Nagesh Bhoir and Panesh Bhimappa Bhoir in

connection with C.R. No. 26 of 2022 registered with Dahisar Police Station shall be released on bail on their furnishing P.R. Bond of Rs.15,000/- each with one or more sureties each in the like amount.

(c) The applicants are permitted to furnish cash bail surety in the sum of Rs. 15,000/- each for a period of 6 weeks in lieu of surety.

(d) The applicants shall attend the Investigating Officer of the Dahisar Police Station as and when called.

(e) The applicants 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 applicants shall not tamper with evidence.

(f) The applicants shall not threaten or intimidate the complainant or witnesses. If it is found that the applicants are indulging in any such activities, the same shall be the ground for cancellation of this bail.

(g) On being released on bail, the applicants shall furnish their contact numbers and residential addresses to the Investigating Officer and shall keep him updated, in case there is any change.

(h) The applicants shall attend the trial regularly. The

applicants shall co-operate with the trial Court and shall not seek unnecessary adjournments.

6. The application is disposed of.

(M. S. KARNIK, J.)