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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2406 OF 2022

1. Babil D. Zanza	
2. Antim K. Sisodiya	...Applicants
V/s.	
The State of Maharashtra	...Respondent.

Ms Anjali Patil for the Applicants.

Mrs. Veera Shinde, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 31.01.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicants came to be arrested in Crime No. 33 of 2022 registered at Talegaon Dhabade Police Station, Pimpri-Chinchwad for the offences punishable under Sections 307, 353, 332 and 279 of the Indian Penal Code and Sections 184, 177 and 122 of the Motor Vehicles Act 1988.
3. I have heard the learned counsel for the applicants and the learned APP for the respondent - State.
4. According to the prosecution, on 20 January 2022 the complainant, who was working as Police Sub-Inspector with Talegaon Dhabade police station, got information to intercept two suspicious vehicles bearing registration Nos. MP-04-CN-9484 and

MP-09-WH-1032 which were going towards Pune from Mumbai. It is alleged that the barricades were thus put on Mumbai Pune Highway near Urse Toll Naka to intercept the said vehicles. It is alleged that when the said vehicles reached near Urse Toll-naka, the complainant and other police personnel tried to stop the said vehicles. It is alleged that the drivers of the said vehicles, instead of stopping their vehicles, they hit the barricades by their vehicles and when police constable Subham Kadam tried to stop one of the vehicles, the driver of said vehicle with intent to kill him gave dash to him due to which he was injured.

5. The learned counsel for the applicants submits that the injured police constable Shubham Kdam was accidentally injured as all of sudden the car was stopped. It is submitted that even otherwise the applicants were not the drivers of the said vehicles. It is submitted that nothing suspicious was found in the vehicles. The learned counsel for the applicants submits that the applicants are in jail for more than one year and there are no other criminal antecedents and thus they be released on bail.

6. On the other hand, the learned APP submits that considering the nature of offence, the applicants may not be released on bail. It is further submitted that the applicants are resident of State of Madhya Pradesh.

7. *Prima facie*, the applicants do not appear to be drivers of the said vehicles. They are in jail for one year. Considering these facts,

I am inclined to release them on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicants be released on bail in C.R. No. 33 of 2022 registered at Talegaon Dhabade Police Station, Pimpri-Chinchwad for the offences punishable under Sections 307, 353, 332 and 279 of the Indian Penal Code and Sections 184, 177 and 122 of the Motor Vehicles Act 1988 on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two local sureties in the like amount.

[N.R.BORKAR, J.]