

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2485 OF 2022

Niranjan Chitranath Yogi ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Aniket Nikam instructed by Mr. Amit Icham for the Applicant.
Mr. S.S. Hulke, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 24 JANUARY 2023

P.C. :-

1. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 953 of 2021 registered at Hadapsar Police Station, Pune for the offences punishable under Sections 302, 307, 323, 504, 506 r/w. 34 of Indian Penal Code and Sections 37(1)(3) r/w. 135 of the Maharashtra Police Act, 1951.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, on the date of incident, which took place on 6 November 2021 the present applicant and other co-accused assaulted the deceased and committed his murder on some trivial issue.

5. I have perused the charge-sheet and more particularly, the statement of Ramesh Tukaram Vishwakarma to whom the co-accused Tophin alleged to have confessed the crime. Prima facie, incident does not appear to be premeditated. Even otherwise from extra judicial confession, the co-accused Tophin appears to have assaulted the deceased. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Niranjan Chitranath Yogi be released on bail in Crime No. 953 of 2021 registered at Hadapsar Police Station, Pune for the offences punishable under Sections 302, 307, 323, 504, 506 r/w. 34 of Indian Penal Code, Sections 37(1)(3) r/w. 135 of the Maharashtra Police Act, 1951 on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two local sureties in the like amount.
- (iii) The applicant shall attend the concerned police station once in a month i.e. on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
PRASHANT
DHURI
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