



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

BAIL APPLICATION NO. 2331 OF 2023

RANJIT PHALCHAND GAUTAM	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

Mr. Uddhav S. Jadhav for the Applicant.

Ms. Veera Shinde, APP for the State.

R.S. Bhadrashete, PSI, Arnala Police Station.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 23, 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 Section 302 of the Indian Penal Code registered on 15/07/2018 vide C.R. No.186 of 2018 with Arnala Police Station, Palghar.
- 3.** The date of the incident was 15/07/2018. The accusation against the present applicant is that he assaulted the deceased- Dinesh with an iron rod on the

right side of his head near the ear. It is the prosecution's case that in the production unit where the applicant and victim were employed and residing, 4 more employees were residing. The applicant and the deceased had a quarrel on 10/07/2018 when the applicant fell down as a result of a scuffle that ensued between the applicant and the victim. The applicant threatened the victim that he would have to face the consequences. On the intervening night between 14/07/2018 and 15/07/2018, after dinner, after all the employees went off to sleep, the applicant woke them up past midnight. The applicant was frightened. The applicant told the employees that he had killed the victim – Dinesh and that they should all escape. The other employees refused and informed the employer.

4. Learned APP opposed the application contending that though the case is based on circumstantial evidence, there is material against the applicant in the form of an extra-judicial confession. An iron rod and clothes which were blood-stained, was recovered at the instance of the applicant.

5. The applicant was arrested on 15/07/2018 and is now in custody for more than 5 years and 3 months. Though the charge has been framed, the possibility of a trial concluding any time soon appears remote. There are no criminal antecedents reported against the applicant. The case is based on circumstantial evidence. The applicant will face the consequences post-trial if found guilty. In my opinion, the applicant does not appear to be a flight risk. In the facts and circumstances of the present case, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Ranjit Phalchand Gautam in connection with C.R. No.186 of 2018 registered with Arnala 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 Arnala police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- (d) 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.

(e) 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.

(f) Except for the purpose of reporting to the Investigating Officer, the applicant shall not enter the jurisdiction of Arnala police station after being released on bail, till the trial concludes.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

6. The application is disposed of.

(M. S. KARNIK, J.)