

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3982 OF 2021**

Raju Eknath Dhanwade

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. P. G. Sarda for the Applicant.

Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 30 JANUARY 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 9 of 2020 registered at Dighi Police Station for the offences punishable under Sections 307, 504, 506 read with 34 of the Indian Penal Code and Section 4 r/w 25 of Arms Act and Section 37(1) r/w 135 of Maharashtra Police Act.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. According to the prosecution, the injured was the witness in police case against the present applicant and other co-accused- Rahul Dhanwade. It is alleged that the present applicant and other co-accused were thus

annoyed with the injured and were asking him to refrain from giving evidence against them. It is alleged that as the injured was not paying any heed to them, they on 10 January 2020 assaulted him by koyta and stones and attempted to kill him.

5. The applicant is in jail for more than two and half years. The trial is not likely to conclude in near future. Except the simple injury on head all other injuries are on non-vital parts. 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- Raju Eknath Dhanwade shall be released on bail in Crime No. 9 of 2020 registered at Dighi Police Station for the offences punishable under Sections 307, 504, 506 read with 34 of the Indian Penal Code and Section 4 r/w 25 of Arms Act and Section 37(1) r/w 135 of Maharashtra Police Act on furnishing PR bond in the sum of Rs. 25,000/- with one or two 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 the trial.

(N.R. BORKAR, J.)