

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

CRIMINAL BAIL APPLICATION NO. 3687 OF 2022

Ganesh Nanikram Sohanda

...Applicant

V/s.

The State of Maharashtra

... Respondent

Mr.Jeetu Kukreja i/b Mr.Charan Penthlia, for the Applicant.
Mr.Y.Y. Dabke, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th OCTOBER 2023

P.C:-

. By this Application, Applicant is seeking bail in Crime No.311 of 2021 registered with Vitthalwadi Police Station, Ulhasangar, Dist-Thane, for the offence punishable under Sections 307 and 397 read with Section 34 of the Indian Penal Code ('IPC' for short).

2. It is prosecution's case that, Applicant had assaulted the mother of first informant with sharp weapon, with an intention to kill her and taken away the TV from the house of the first informant.

3. It is contention of the learned counsel for the Applicant that, the injuries caused to the mother of the first informant were not life threatening. Applicant is behind bar about 2 years. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the Application.

4. The learned APP submitted that, Applicant had assaulted the mother of the first informant with sharp weapon on head and other parts of the body with an intention to kill her. He had taken away TV kept in the house of the first informant. There is *prima facie* case against the Applicant. Hence, requested to reject the Application.

5. I have heard both learned counsel. Perused FIR and charge-sheet.

6. Allegations against the Applicant that, he had assaulted the mother of the first informant with sharp weapon. There is recovery of weapon at the instance of the Applicant. Applicant is behind bar about two years. Investigation is completed and charge-sheet has been filed. Yet trial has not commenced, it may take time to conclude the trial.

7. In view of above, I pass following order.

ORDER

(i) The Applicant be released on bail in Crime No.311 of 2021 registered with Vitthalwadi Police Station, Ulhasangar, Dist-Thane on furnishing PR bond of Rs.25,000/- with one or two sureties in the like amount.

(ii) After his release from jail the Applicant shall attend the Vitthalwadi Police Station, Ulhasangar, Dist-Thane once in a month i.e. on every 1st Monday of the month between 11.00 a.m. to 3.00 p.m. till framing of charge.

(iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(iv) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.

(v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)

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