

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
BAIL APPLICATION NO. 3132 OF 2022**

Avinash Bhima Orape

....Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Daulat G. Khamkar, Advocate for the Applicant.

Mr. Y. Y. Dabke, APP for Respondent-State.

**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 14<sup>th</sup> SEPTEMBER, 2023.**

**P.C. :**

1. By this application, applicant is seeking bail in C.R.No.962 of 2021 registered with Vakola Police Station, Mumbai, for offences punishable under Section 307, 504 and 498A read with 34 of Indian Penal Code, 1860.

2. It is prosecution's case that on 30<sup>th</sup> November 2021 at around 11.00 a.m, applicant had assaulted his wife with knife on her neck, right hand and stomach and tried to kill her.

3. It is contention of learned counsel for applicant that applicant had no intention to kill the victim. Due to family dispute,

the said incident happened suddenly. Investigation is completed, charge-sheet has been filed. Applicant is behind bar for more than one year and nine months. The injuries caused to applicant are not on vital part of the body and those were not life-threatening. Hence, requested to allow the application.

4. It is the contention of learned APP that applicant had assaulted his wife with knife. She has received grievous injuries on her neck and abdomen. If applicant is released on bail, he may influence the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel. Perused the FIR and charge-sheet. Applicant is behind bar for more than one year. Investigation is completed, charge-sheet has been filed. The incident happened out of family dispute. Considering the above facts, further detention of applicant is not required.

6. In view of above, I pass following order :

**ORDER**

- (i) Applicant be enlarged on bail in C.R.No.962 of 2021 registered with Vakola Police Station, Mumbai, on executing P.R.Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

- (ii) Applicant shall attend the concerned police station once in a month i.e. on first Monday between 11.00 a.m. to 3.00 p.m. till framing of charge.
- (iii) Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- (iv) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)