



Urmila Ingale

22.ba.2820-23.odt

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

BAIL APPLICATION NO.2820 OF 2023

VIJAY @ CHOBLYA MOTIRAM PATIL
VS.

..APPLICANT

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr.Subodh Desai i/b Mr. Prathamesh Naik a/w Roshan Hule, for the applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 29, 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 sections 307, 324, 504, 506, 143, 147, 148, 149 of the Indian Penal Code, 1860, under sections 4 and 25 of the Arms Act and under sections 37(1), 135 of the Maharashtra Police Act registered on 22/02/2022 vide C.R. No.65 of 2022 with Hill Line Police Station, District- Thane.

3. The applicant is the accused no.4. There are in all 5 accused. The applicant was arrested on 20/03/2022.

4. The applicant is the cousin of the informant. It is alleged that

on 20/03/2022, the applicant along with other co-accused assaulted the informant and one other injured witness. So far as the injured witness – Narendra Yashwant Patil is concerned, there is one stab injury in abdomen which is grievous in nature and attributed to the present applicant. The other injured witness is Shribabu Yashwant Patil who suffered grievous injury on the left chest. The size of the injury is 4.1 cm. There is recovery at the instance of the applicant. The applicant was arrested on 20/03/2022 and now is in custody for more than one and half year. Learned counsel for the applicant submitted that there are no criminal antecedents reported against the applicant. The investigation is complete. The charge-sheet has been filed. There is no possibility of the trial concluding any time soon. In the facts and circumstances of the present case, the applicant can be enlarged on bail by imposing stringent conditions. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Vijay @ Choblya Motiram Patil in connection with C.R. No. 65 of 2022 registered with Hill Line Police Station, District -Thane 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 Hill Line 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.

(g) Except for attending the trial and for the purpose of reporting to the investigating officer, the applicant shall not enter the Thane District after being released on bail, till the trial concludes.

(h) Any attempt on the part of the applicant to contact, influence or threaten the victim will be viewed seriously which may include the consequence of cancellation of this bail.

5. The application is disposed of.

(M. S. KARNIK, J.)