



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

BAIL APPLICATION NO. 2874 OF 2023

ARUN ANANDA BHOYE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Mr. Aniket Vagal a/w Mr. Kunal Pednekar a/w Mr. Divesh
Mehani a./w Ms. Savvy Kolhekar for the Applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 19, 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 302, 324 read with 34 of the Indian Penal Code registered on 14/05/2022 vide C.R. No.57 of 2022 with Harsul Police Station, Nashik.
- 3.** The alleged incident took place on 13/05/2022. There are in all 4 accused. The applicant is accused No.2. The prosecution case is that accused No.1- Pundlik suspected that his wife had illicit relations with the deceased. When

the wife of accused No.1 and the deceased were found together, the accused assaulted the deceased with sticks. The co-accused Mahesh who is the son of Pundlik has been enlarged on bail. So far as the present applicant is concerned, there is no specific role attributed to him. Only general allegations are made against him. There is no recovery from the present applicant.

4. Learned APP opposed the application.

5. My attention is invited to the statement of the witness i.e. the wife of accused No.1 Pundlik. There are no criminal antecedents reported against the applicant. The investigation is complete and the charge-sheet has been filed. The applicant is in custody for more than 16 months and the trial is likely to take long time to conclude. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Arun Ananda Bhoje in connection with C.R. No.57 of 2022 registered with Harsul 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 is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of Harsul police station once in a month every first Saturday of the month between 11.00 a.m. and 2.00 p.m.

(e) 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.

(f) 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) 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.)