



Diksha Rane

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

BAIL APPLICATION NO.2921/2023

KALPESH RAMESH TARE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Manas N. Gawankar for the applicant.

Mr. A. A. Palkar, APP for the State.

API Shivaji Bade, Vitthalwadi Police Station.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 27, 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 326, 323, 504, 506, 143, 147, 148, 149 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) read with Sections 4, 25 of the Indian Arms Act read with Sections 37(1), 135 of the Maharashtra Police Act, registered on 24/3/2023 vide C.R. No.94/2023 with Vitthalwadi Police Station.

3. The date of the incident is 24/3/2023. In all there are

six accused. The applicant is the accused no.5. Initially the offence is registered under Section 326 of the IPC. Later on, the offence under Section 307 of the IPC came to be added. So far as the injury is concerned, the same is shown to be only on the hand of the first informant. The weapon is allegedly a sword. A sword is recovered at the instance of some other accused. There is no specific role assigned to the present applicant.

4. Learned APP opposed the application for bail.

5. Considering that the applicant was arrested on 28/3/2023 and now the investigation is complete and the charge-sheet has been filed and as there are no criminal antecedents reported against the applicant, the applicant can be enlarged on bail. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Kalpesh Ramesh Tare in connection with C.R. No.94/2023 with Vitthalwadi Police Station, shall be released on bail on his/her furnishing P.R. Bond of Rs.25,000/- with one or more local/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 Vitthalwadi police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 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.

6. The application is disposed of.

(M. S. KARNIK, J.)