



Diksha Rane

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

BAIL APPLICATION NO.2931/2023

NILESH GOVIND MALSHIKARE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Niranjan Mundargi a/w. Adv. Priyanka Gupta i/b. Adv.
Rupesh Zade for the applicant.

Mr. N. B. Patil, APP for the State.

PH Anil Kisan Khedkar, Vadgaon Nimbalkar Police Station,
Pune.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 13, 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, 143, 147, 148, 149,
323, 504, 506 of the Indian Penal Code (hereafter 'IPC' for
short) registered on 26/8/2023 vide C.R. No.555/2023 with
Vadgaon Nimbalkar Police Station, Pune.

3. The assault took place on 25/8/2023. There are in all
ten accused. The applicant is the accused no.10. The

applicant was arrested on 26/8/2023. There is a cross complaint filed by the side of the applicant. The victim suffered a nasal bone fracture. The injury is attributed to the co-accused Sagar. The applicant is shown to be present along with the other accused. There is no recovery from the applicant.

4. The investigation is on-going. The charge-sheet is yet to be filed. There are no criminal antecedents reported against the applicant. In my opinion, further custody of the applicant is not warranted. The applicant does not appear to be a flight risk. Considering the role of the applicant, in the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Nilesh Govind Malshikare in connection with C.R. No.555/2023 registered with Vadgaon Nimbalkar Police Station, Pune, 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 Vadgaon Nimbalkar Police Station, Pune once in a month on every first Monday of the month between 11.00 a.m. and 1.00 p.m. till filing of charge-sheet and thereafter once in three months, every first Monday of the concerned 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. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(h) The applicant shall surrender his passport, if any, to the investigating officer.

5. The application is disposed of.

(M. S. KARNIK, J.)