

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3209 OF 2022

Akshay Ambadas More ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Nitin Gaware Patil for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 13 MARCH 2023

P.C. :-

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 391 of 2021 registered at Vavi Police Station, Nashik for the offences punishable under Sections 395, 307, 120-B of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, the father of the complainant had political rivalry with co-accused – Dnyaneshwar Dhase. He had thus hatched the conspiracy with the present applicant and other co-accused to

kill the father of the complainant. It is alleged that pursuant to the said conspiracy on 24 November 2021, the present applicant and other co-accused came to the house of the complainant and assaulted his father by iron rod etc. and attempted to kill him. It is further alleged that the applicant and other co-accused had ransacked the house of the complainant and took away gold ornaments worth Rs.5,59,000/-.

5. It appears that one of the co-accused was apprehended at the place of incident and he disclosed the names of some of the assailants who were with him at the time of alleged incident. However, in his disclosure he had not named the present applicant as one of the assailants. The motive for alleged crime is attributed to the co-accused Dnyaneshwar Dhase. Considering the overall facts and circumstances of the case and as there are no other criminal antecedents, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Akshay Ambadas More be released on bail in Crime No. 391 of 2021 registered at Vavi Police Station, Nashik for the offences punishable under Sections 395, 307, 120-B of Indian Penal Code, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)