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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3316 OF 2022

Vaibhav A. Dahibhate ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Mr. Satyavrat Joshi i/b Mr. Shubham Mhatre for the Applicant.
Mrs. Veera Shinde, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 06.02.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No.110 of 2022 registered at Sinhagad Road Police Station, Pune city for the offences punishable under Sections 307, 143, 144, 145, 147, 148, 149 of the Indian Penal Code, Section 4 read with 25 of Arms Act and Section 37(1) read with 135 of Maharashtra Police Act.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.
4. According to the prosecution, on 3 March 2022, the applicant and other co-accused assaulted the injured by koyta etc. on account of previous dispute and attempted to kill him.

5. I have perused the statement of the injured. According to him, some of the assailants were not known to him. However, after arrest of the present applicant, no T.I. parade is held. Admittedly, the alleged incident took place on 3 March 2022. After three months, i.e., on 20 June 2022, the statement of Omkar Satpute came to be recorded, who according to the prosecution is an eye-witness to the incident and has named the present applicant as one of the assailants. However, there is no explanation for delay. Considering these facts and as there are no other criminal antecedents, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 110 of 2022 registered at Sinhagad Road Police Station, Pune city for the offences punishable under Sections 307, 143, 144, 145, 147, 148, 149 of the Indian Penal Code, Section 4 read with 25 of Arms Act and Section 37(1) read with 135 of Maharashtra Police Act on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

[N.R.BORKAR, J.]