

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3106 OF 2022**

1. Akshay Tukaram Patil

2. Mithun Tukaram Patil

...Applicants

Versus

The State of Maharashtra

...Respondent

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Mr. Kuldeep Patil a/w Mr. Nikhil Hire a/w Ms Neha Maru a/w Mr. Soham Pawar for the Applicants.

Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 27 FEBRUARY 2023

P.C. :-

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

2. The applicants came to be arrested in Crime No. 57 of 2020 registered at Mangaon Police Station, Raigad for the offences punishable under Sections 307, 353, 332, 333, 327, 504 r/w 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicants and the learned APP for the respondent-State.

4. According to the prosecution, on the date of incident, which took place on 18 March 2020 at about 2.00 a.m., the complainant, who was working as Assistant Police Inspector with Mangaon Police, was on patrolling duty. He found witness Suraj Chandanshive injured

condition. He, thus made inquiry with him and found that present applicant and other co-accused assaulted him as the vehicle of the present applicants was hit by the vehicle, which the said witness Suraj Chandanshive was driving.

5. It is alleged that the present applicant and other co-accused assaulted the complainant and attempted to kill him, when he came to their house to make inquiry about the alleged assault on witness Suraj Chandanshive.

6. The applicants are in jail for two and half years. There are no other criminal antecedents except the separate crime registered against the applicants in relation to the incident in which the present applicants allegedly assaulted the said witness Suraj Chandanshive. Considering the overall facts and circumstances, I am inclined to release the applicants on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The Applicant No. 1- Akshay Tukaram Patil and Applicant No. 2- Mithun Tukaram Patil shall be released on bail in Crime No. 57 of 2020 registered at Mangaon Police Station, Raigad for the offences punishable under Sections 307, 353, 332, 333, 327, 504 r/w 34 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.
- (iii) The applicants shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

(N.R. BORKAR, J.)