

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
BAIL APPLICATION NO. 3161 OF 2022**

Amit Bhuwal Yadav ...Applicant  
V/s  
The State of Maharashtra and anr. ...Respondents

Mr. Gaurav Chaubey i/b Ms. Kavitha Prakash for the Applicant.  
Ms. Rutuja Ambekar, APP for the State.  
Mr. Kamar Ali Shaikh i/b Mr. Venegavkar for the Respondents

**CORAM : N.R. BORKAR, J.  
DATED : 07.02.2023.**

**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. 121 of 2021 registered at Nani Daman police station for the offence punishable under Section 307, 324, 504, 506 read with 34 of Indian Penal Code.

3. It is the case of the prosecution that on 25 November 2021 at about 21.50 hours the present applicant and other co-accused assaulted the complainant and his friend Tarun Bhanushali by stick, spade and plastic pipe and attempted to kill them.

4. I have heard the learned counsel for the applicant and the

learned standing counsel for the respondent.

5. The incident took place at Harsh Bar and Restaurant, Dabhel, Nani Daman. It appears that some dispute arose between the injured Tarun and Hotel Manager over payment of bill and then the alleged incident took place. Thus, prima facie the incident does not appear to be premeditated. The applicant is in jail for about one year. There are no other criminal antecedents. Considering these facts, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) The application is allowed.
- (ii) The applicant- Amit Bhuwal Yadav shall be released on bail in Crime No. 121 of 2021 registered at Nani Daman police station for the offence punishable under Section 307, 324, 504, 506 read with 34 of Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant 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 trial.

**( N.R. BORKAR, J. )**