

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3179 OF 2022**

Shrishail Vitthal Jamadar

....Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Vikrant V. Phatate, Advocate for the Applicant.

Ms. Anamika Malhotra, APP for Respondent-State.

Mr. U. S. Shaikh, PSI, Valsang Police Station, Solapur, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 14th SEPTEMBER, 2023.

P.C. :

1. By this application, applicant is seeking bail in C. R. No.512 of 2021 registered with Valsang Police Station, Solapur, for offences punishable under Section 307 read with 34 of Indian Penal Code, 1860 and Section 135 of Maharashtra Police Act, 1951.

2. It is prosecution's case that on 6th November 2021 at around 7.00 p.m, when son of complainant was proceeding on his motorcycle, at that time, applicant and his son came from their agricultural land and assaulted the son of complainant with knife on his head and stomach.

3. It is contention of learned counsel for applicant that applicant has been falsely implicated in this case. The medical report of injuries of victim shows that injured was discharged from the hospital after ten days' treatment. The injuries sustained by injured were not life-threatening. The co-accused has been released on bail by the trial Court. Investigation is completed, charge-sheet has been filed. Applicant is behind bar for almost two years. Hence, requested to allow the application.

4. It is the contention of learned APP that applicant had assaulted injured on vital part of his body. His intention was to kill the injured. If the applicant is released on bail, he may influence the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel. Perused the FIR and charge-sheet. It appears from the record that there was dispute between the applicant and injured. Investigation is completed and charge-sheet has been filed. The co-accused is released on bail by the trial Court. Applicant is behind bar for almost two years. Considering above facts, his further detention is not required.

6. In view of above, I pass following order :

ORDER

(i) Applicant be enlarged on bail in C. R. No.512 of 2021

registered with Valsang Police Station, Solapur, on executing P.R.Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(ii) Applicant shall attend the concerned police station once in a month i.e. on first Monday between 11.00 a.m. to 3.00 p.m. till framing of charge.

(iii) Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.

(iv) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)