



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 3411 OF 2023

SIDDHANT JAGDISH GAIKWAD

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Sanjeev P. Kadam a/w Adv. Vinod S. Chate a/w Adv. Kalpana V. Chate a/w Adv. Sumitkumar S. Nimblakar i/b Chate and Associates for the Applicant.

Ms. Veera Shinde, APP for the State.

PI Dayanand Sawant, Bhoiwada Police Station, Mumbai

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 01, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under Sections 307, 326, 109, 114 120-B of the Indian Penal Code (hereafter 'IPC' for short) and under Sections 37(1) read with 135 of the Maharashtra Police Act. registered on 27/05/2023 vide C.R. No.234 of 2023 with Bhoiwada Police Station, Mumbai.

3. The date of the incident is 27/05/2023. The applicant is accused No.5. The applicant was arrested on 22/06/2023.

It is alleged that the assailants assaulted two injured victims with blows, with an iron rod and a knife. One of the victim suffered simple injuries and the other suffered a grievous injury on the left paraspinal region. These injuries are attributed to the accused No.6 and another co-accused. So far as the present applicant is concerned, it is alleged that he paid a sum of Rs.3000/- to one of the accused for executing the assault.

4. Learned APP opposed the application. It is submitted that there is a criminal antecedent reported against the applicant under Section 323 of the IPC in which the applicant has been enlarged on bail.

5. As the investigation is complete and the charge-sheet has been filed, in the facts and circumstances of the present case, the applicant can be enlarged on bail. The antecedent cannot become a factor for denying the facility of bail to the applicant. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Siddhant Jagdish Gaikwad in connection with C.R. No.234 of 2023 registered with Bhoiwada Police

Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of Bhoiwada police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

6. The application is disposed of.

(M. S. KARNIK, J.)