

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

BAIL APPLICATION NO. 3472 OF 2022

Prathamesh @ Tom Balasaheb Jagtap

...Applicant

vs.

The State of Maharashtra

...Respondent

Ms. Babita P. Pandey - Advocate for the Applicant

Mr. Y. Y. Dabke - APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 11th JANUARY, 2023

P. C. :-

1. Heard learned Advocate Ms. Babita Pandey for the Applicant and learned APP Shri Dabke for the Respondent-State.

2. The present Applicant alongwith six others have attempted murder of the first informant Kaushalya Bebale on 09/06/2022. There were two incidents. Initially, at about 8.30 p.m., the present Applicant while going on motor cycle intercepted the first informant and threatened him. The second and main incident took place at 9.45 p.m. on a road going from Vitthal Mandir to Ramnagar bus stop at Satara.

3. When the first informant was walking on the road after dinner, three motor cycles came there. The present Applicant was

one amongst them. The applicant kicked the first informant by his leg and he was about to assault him with iron sickle, some how the first informant obstructed with his hand and at the same time the co-accused Adarsha Rankhambe gave blow on his head. After that the accused persons ran away.

4. The applicant was admitted in Satara Swas Hospital and the Doctors have issued certificate showing six contused lacerated wounds and also fracture of skull and subdural haemorrhage. Five injuries were simple in nature and three were grievous in nature. During custodial interrogation, from the Applicant the weapon sickle is recovered. Now charge-sheet is filed. His bail was rejected by the Sessions Court.

5. Learned APP opposed the bail on the ground of his involvement and on the ground of criminal antecedents. There is offence under Section 324 and other sections registered against the Applicant earlier.

6. On account of age and family requirement, bail is asked for. I am inclined to grant bail only considering his age and considering the fact that trial is not going to start in near future. Stringent conditions can be imposed. Copy of school leaving

certificate is annexed which shows that he has left the school when he was studying in 12th Standard.

7. Hence the Order:-

ORDER

- (i) Application is allowed.
- (ii) The Applicant-Prathamesh @ Tom Balasaheb Jagtap be released on bail on furnishing PR bond and surety bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.
- (iii) The Applicant is directed to give attendance to Satara Taluka Police Station on every Monday and Thursday from 10 a.m. to 12 noon for a period of six months from today.
- (iv) The Applicant shall not threaten the prosecution witness.
- (v) The Applicant shall furnish permanent address and contact details to the Inspector of Police of the concerned police station and intimate the change, if any.
- (vi) If any of the condition is breached, the Police is at liberty to apply for cancellation of bail and it will be considered on merits.

8. Application is disposed of in the aforesaid terms.

9. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]