

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3935 OF 2022**

Tahir Jamal Shahid Ahmad @ Tahir Dawn ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr. Mahendra Sandhyanshiv for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

.....

CORAM : N.R. BORKAR, J.

DATED : 6 MARCH 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 14 of 2019 registered at Pawarwadi Police Station for the offences punishable under Sections 307, 324, 326, 147, 148, 149, 120-B, 452, 427, 504, 506 of the Indian Penal Code, Sections 3, 4 r/w 25 of the Arms Act and Sections 37(1)(3), 135 of Maharashtra Police Act.

3. I have heard the learned counsel for the applicant, the learned APP for the respondent-State.

4. According to the prosecution, on the date of incident, which took place on 1 February 2019, the present applicant and other co-accused

assaulted the complainant by koyta, sword, etc. on account of previous dispute and attempted to commit his murder.

5. The learned APP submits that the applicant is involved in six more crimes.

6. I have perused the injury certificate. All the injuries are simple in nature. The applicant is in jail for more than three years. The trial has not yet commenced. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 14 of 2019 registered at Pawarwadi Police Station for the offences punishable under Sections 307, 324, 326, 147, 148, 149, 120-B, 452, 427, 504, 506 of the Indian Penal Code, Sections 3, 4 r/w 25 of the Arms Act and Sections 37(1)(3), 135 of Maharashtra Police Act on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall not enter into the jurisdiction of Pawarwadi Police Station till conclusion of trial.
- (iv) The applicant shall attend the concerned police station within whose jurisdiction he is going to reside after his release 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.)