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

BAIL APPLICATION NO.4034 OF 2023

SHUBHAM SAVALYA PETEKAR ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Rushikesh kale for the applicant.
Ms. Veera Shinde, APP for the State.
PSI – G. S. Musle, Manpada Police Station, Dombivli.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 19, 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, 324, 323, 504 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 07.11.2020 vide C.R. No.443 of 2020 with Manpada Police Station, Dombivli.
- 3.** The date of the incident is 06.11.2020 at around 11.50 p.m. There are in all two accused. The applicant is the accused No.1. The allegation of the injured victim is

that one month prior to the date of the incident the injured witness had assaulted the accused No.1. With a view to take revenge, on the date of the incident the accused No.1 assaulted the victim with a wooden log, whereas the accused No.2 inflicted stab injuries on the victim with a knife. There is no recovery at the instance of the applicant. The knife was recovered at the instance of the accused No.2.

4. Learned APP opposed the application for bail.

5. The applicant was arrested on 21.12.2020 and is now in custody almost for three years. I am informed that the charge has not been framed so far. The trial is likely to take a long time to conclude. There are no criminal antecedents reported against the applicant. In the facts and circumstances of the present case I am inclined to enlarge the applicant on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Shubham Savalya Petekar in connection with C.R. No.443 of 2020 registered with

Manpada Police Station shall be released on bail on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs.15,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of Manpada 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) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the jurisdiction of the Manpada Police Station, Dombivli after being released on bail, till further orders of the trial Court.

(h) 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.)