



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 778 OF 2023

(KUNAL S/O PRAMOD SANTAPE VS. STATE OF MAHARASHTRA)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Ms. Shaad Mirza, Advocate for applicant.
Mr. I. J. Damle, APP for respondent State.

CORAM : M. W. CHANDWANI, J.

DATE : 13/09/2023

The applicant seeks regular bail in Crime No.217/2023, registered with Police Station, Bajaj Nagar, District – Nagpur City, for the offence punishable under Sections 307 of the Indian Penal Code, 1860 (IPC).

2. Heard learned counsel for the applicant, as well as learned APP for respondent State.

3. Perusal of the case transpires that on 16/07/2023, at about 2.15 a.m. the applicant and other co-accused Dinesh Todsam went to the house of Soham on account of quarrel in the morning of earlier day i.e. on 15/07/2023. The co-accused Dinesh unleashed knife blow on the abdomen of Sammet alias Ponga Santosh Dabhne. He sustained bleeding injury. In protecting subsequent assault

Sammet suffered cut injuries on his hand. To save himself, Sammet started running, the co-accused Dinesh Todsam chased him and also assaulted on his leg by means of knife blows. Thereafter the applicant along with other co-accused ran away.

4. It appears that the role assigned to the applicant that he came on the spot along with co-accused. The knife blows have been attributed to co-accused Dinesh. No any assault is attributed to the applicant. Whether the applicant shared the common intention with co-accused Dinesh Todsam is a matter of trial. It appears that most part of the investigation is already over rather learned APP submits that within short period, the charge-sheet will be filed. The applicant has fixed place of abode. There is no likelihood that the applicant will flee away from justice.

5. Considering the nature of allegations and role assigned to the present applicant coupled with stage of investigation, a case is made out for exercising the jurisdiction for grant of bail in favour of the applicant.

(a) The application is allowed.

(b) The applicant/accused, namely, **Kunal s/o Pramod Santape** in Crime No.217/2023, registered with Police Station, Bajaj Nagar, District – Nagpur City, for the offence punishable under Sections 307 of the Indian Penal Code, 1860, shall be released on bail on furnishing P.R. Bond in the sum of **Rs.30,000/-** (Rupees Thirty Thousand only) with one solvent surety in the like amount.

(c) The applicant shall not tamper the prosecution evidence or induce, threaten or pressurize any witnesses, who are connected with the crime.

6. Accordingly, application is disposed of.

[M. W. CHANDWANI J.]