

applicant, however, none of the eyewitnesses named the applicant. There are three eyewitnesses to the alleged incident. Moreover, the CCTV footage also, *prima facie* does not support the case of the prosecution about the involvement of the applicant in the alleged offence. As far as motive is concerned, in a statement of the daughter of the applicant she stated that she was not harassed by anyone while going to the school and coming from the school. Thus, prosecution case as regards the motive is also not supported by any evidence.

4. The applicant is in jail from last 11 months and in absence of sufficient incriminating evidence against the applicant, in view of the fact that the charge-sheet has been filed, I am of the opinion that further custody of the applicant is not required.

5. On the other hand, learned APP opposed the application and submits that if the applicant is released on bail he may pressurize the witnesses or tamper with the prosecution evidence.

6. As far as the above referred apprehension of the learned APP is concerned, the same can be addressed by imposing certain stringent conditions. In the circumstances, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in Crime No.535 of 2023, registered with Sangli City Police Station, for the offences punishable under Sections 302, 307, 364, 143, 147, 148, 149 and 506 of the Indian

Penal Code and Sections 37(1)(3) r/w. 135 of the Maharashtra Police Act, on furnishing P.R.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;

iii) The applicant shall not enter into the territorial jurisdiction of Sangli City, till the conclusion of the trial;

iv) The applicant shall provide his address and name of the nearby police station to the IO, which he shall attend the said Police Station on 1st and 16th day of every month between 10.00a.m. to 11.00 a.m., till the conclusion of the trial except on the date of trial;

v) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

vi) Liberty is granted to the State to apply for cancellation of bail in case of any breach of condition if the applicant commenced similar offence;

vii) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

7. The application is disposed of .

(ANIL S. KILOR, J)