

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1324 OF 2024

Ravindra Haribhau Gurav ... Applicant

V/s.

The State of Maharashtra ... Respondent

 Mr. Nilesh Wabale with Rutuja Khatmode I.by Umesh Mankapure, for the applicant.

Ms. Veera Shinde, APP, for the Applicant.

CORAM : ANIL S. KILOR, J.

DATE : 22ND AUGUST, 2024.

PC:

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.28 of 2023, registered with Pandharpur Taluka Police Station, Solapur, for the offences punishable under Sections 307, 143, 147, 148, 149, 323 and 506 of the Indian Penal Code, Section 3(1) (ii), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999 and Section 135 of the Maharashtra Police Act.

3. The applicant is in jail from last more than 1 and ½ years during which period the charge-sheet has been filed on completion of the investigation. After going through the injury certificate it shows

that there were three injuries and all are stab injuries. Whereas, in the complaint there was no mention about the use of weapon during the assault. In the complaint there is a mention that the accused persons assaulted the informant by fist and blows and by stone by accused no.2

4. Thus, though the injuries are serious in nature. However, it creates doubt about the prosecution story as stated hereinabove.

5. In that view of the matter and further since the charge-sheet has been filed, I am of the opinion that further custody of the applicant is not necessary.

6. As far as antecedents are concerned, there are no antecedents against the applicant and there is no sufficient evidence to show that the applicant is a member of the gang.

7. In the circumstances, though the learned APP is strongly opposing the present application, I am of the view that, this is a fit case for grant of bail. Hence, I pass the following order:

ORDER

- (i) Criminal Bail Application is allowed and disposed off;
- (ii) It is directed that the applicant shall be released on bail in Crime No.28 of 2023, registered with Pandharpur Taluka Police Station, Solapur, for the offences punishable under Sections 307, 143, 147, 148, 149, 323 and 506 of the Indian Penal Code, Section 3(1) (ii), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999 and Section 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 Pandharpur Taluka Police Station, Solapur Gramin, 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 10.00 a.m. to 11.00a.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 for cancellation of bail if the applicant commits similar offence;

vii) The applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.

(ANIL S. KILOR, J)