

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

CRIMINAL BAIL APPLICATION NO. 1530 OF 2024

Maruti Tukaram Jadhav

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Omkar Nagvekar i/b Suresh Deuskar, Advocate for Applicant.

Mrs. G. P. Mulekar, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 16th OCTOBER, 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.10 of 2023 registered with Gadhinglaj Police Station, Kolhapur for the offences punishable under Sections 307, 324, 323 and 506 read with Section 34 of the Indian Penal Code, 1860.
- 3) The allegations against the applicant is that he and the co-accused assaulted the informant and his mother. It is alleged that both the accused were holding the sickles in their hands and also assaulted the informant and his mother by fist and blows.

4) The applicant is 63 years of age and he is in jail from last one and half years. The charge-sheet has been filed. Thus, considering the nature of the allegations against the applicant and the material collected by the Investigating Officer during the investigation, I am of the opinion that further custody of the applicant is not required.

5) The learned APP strongly opposed the application since, I have observed that considering the age of the applicant and the role attributed to him, his custody is not required, I am of the opinion that he is entitled for bail.

6) However, considering the apprehension expressed by the learned APP that if the applicant is released on bail, he may pressurize the witnesses and tamper with the prosecution evidence is concerned, the same can be addressed by putting certain stringent conditions.

ORDER

i The Bail Application is allowed;

ii It is directed that the Applicant shall be released on bail in Crime No.10 of 2023 registered with Gadhinglaj Police Station, Kolhapur for the offences punishable under Sections 307, 324, 323 and 506 read with Section 34 of the Indian Penal Code, 1860, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;

iii The applicant shall not enter into the territorial jurisdiction of Gadhinglaj Police Station, Kolhapur till the conclusion of the trial except on the date of trial;

- iv. The applicant shall provide his address and name of the nearby police station to the I.O, which he shall attend the said Police Station on 1st day of every month between 10.00 am to 11.00 am, 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 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.
- viii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]