

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

BAIL APPLICATION NO. 2000 OF 2024

Ravi Govind Kamble ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Harshavardhan B. Suryawanshi, Advocate for Applicant.

Mr. Shriram S. Chaudhari, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 16th JULY, 2024

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PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 572 of 2022, registered with Rajarampuri Police Station, District: Kolhapur, for the offences punishable under Sections 302, 323, 143, 147, 148, 149, 504 and 506 of Indian Penal Code, (for short 'IPC') and Section 4/25 of Arms Act, 1959.

3) In this matter, the co-accused have already been released on bail by the trial Court and the role of the applicant is similar with the co-accused.

4) It is the case of the applicant that he has been falsely implicated in the alleged offence, whereas, he was not present at the time of the incident. For this purpose, he has pointed out the still photos taken from CCTV footage of the Rajarampuri Police Station.

5) In the circumstances, having gone through the charge-sheet and the material collected by the Investigating Officer there appears to be discrepancies in the timing of the incident. In addition to this, there are two telephonic conversations of the applicant with two of his friends just after the incident from which *prima facie* it appears that the applicant was not aware of any such incident but he had only knowledge about something happened in relation to the deceased.

6) Thus, *prima facie*, the CCTV footage and the telephonic conversation creates doubt about the involvement of the applicant.

7) The learned APP strongly opposed the application and submitted that CDR shows that the applicant was continuously in contact with the accused No. 1. However, there is no material to point out the location of the applicant as the spot of incident.

8) In the said backdrop though this is a successive bail application in view of the fact that certain material was not pointed out while arguing the earlier application and as the applicant has come up with additional grounds and the material, the application has been entertained.

9) In the above referred backdrop, as it is observed that there is no sufficient material against the applicant to show his involvement in the alleged offence, I am of the opinion that the applicant is entitled for grant of bail by imposing certain conditions.

ORDER

i) The Criminal Bail Application is allowed.

ii) It is directed that the applicant shall be released on bail in connection with Crime No.572 of 2022, registered with Rajarampuri Police Station, District: Kolhapur, for the offences punishable under Sections 302, 323, 143, 147, 148, 149, 504 and 506 of Indian Penal Code, (for short 'IPC') and Section 4/25 of Arms Act, 1959, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty-Five Thousand) with solvent surety in the like amount;

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

iv) The applicant shall provide his address and the name of the nearby Police Station to the Investigating Officer and shall attend

the said Police Station on 1st and 16th day of each month between 12:00 noon and 02:00 p.m. till conclusion of the trial, except on the date of the 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, and also not tamper with the evidence;

vi) Liberty is granted to the State to apply for cancellation of bail in case the applicant commits the 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.

The Criminal Bail Application is **disposed of** accordingly.

[ANIL S. KILOR, J.]