

V/s.

The State of Maharashtra ... Respondent

Mr. Aniket Nikam with Pratik Jadhav, Amit Icham, Sumil Patil and Dushyant Digamber, for the applicant.

Mr. Sameer Mangaonkar, APP, for the Respondent / State.

CORAM : ANIL S. KILOR, J.

DATE : 20TH SEPTEMBER, 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.195 of 2021, registered with Umadi Police Station, Dist: Sangli for the offences punishable under Sections 307, 364, 394 and 397 of the Indian Penal Code (for short, 'IPC').
3. The applicant is in jail from last more than 2 years and though the provisions of MCOC have been invoked against the other accused persons, it has not been invoked against the present applicant. The allegation against the applicant is that he was having knife in hand

and he wielded a blow below the knee on the victim. The corresponding injury is a simple injury.

4. In the circumstances, though the learned APP is strongly opposing the application considering the fact that the charge-sheet has been filed and the applicant is in jail from last more than 2 years and furthermore, the co-accused Shrishail Sawdappa Kamble has been released by this Court against whom the provisions of MCOC have been invoked, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, 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.195 of 2021, registered with Umadi Police Station, Dist:Sangli for the offences punishable under Sections 307, 364, 395 and 397 of the Indian Penal Code, on furnishing P.R.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;
- iii) The applicant shall attend the Police Station on 1st and 16th day of every month between 12.00noon to 2.00p.m., till the conclusion of the trial except on the date of trial;
- iv) 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;

v) Liberty is granted to State to apply for cancellation of bail if the applicant breach any condition or commit similar offence;

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

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

(ANIL S. KILOR, J)