

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3288 OF 2024

Vinod Suresh Motakatte ... Applicant

V/s.

The State of Maharashtra ... Respondent

 Mr. Ramanik Pawar with Samiksha Pawar, Trupti Jambulkar, S. Mahnulkar, Shivtej Takalkar and Dhanshree Jagdale, for the applicant.

Ms. Veera Shinde, APP, for the Respondent / State.

CORAM : ANIL S. KILOR, J.

DATE : 26TH NOVEMBER, 2024.

Digitally
signed by
VARSHA
DEEPAK
GAIKWAD
Date:
2024.11.27
18:21:13
+0530

PC:

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.29 of 2024, registered with Bhilwadi Police Station, Vita, Dist: Sangli for the offences punishable under Sections 302, 307, 326, 324, 323, 504, 506, 143, 147, 149 of the Indian Penal Code and Section 37(1) (a) and 135 of the Maharashtra Police Act.

3. Having gone through the charge-sheet and the relevant material collected by the IO during the investigation, I am of the opinion that the role attributed to the applicant is similar with the role

of co-accused Abhijit who has been granted bail by this Court. This Court while granting bail to Abhijit has categorically observed that though the offence is registered under section 149 of IPC, there is nothing to show that there was a common intention, to kill the deceased.

4. The learned APP is not disputing the fact as regards the similar role of the applicant and the co-accused Abhijit. In the circumstances, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant be released on bail in Crime No.29 of 2024, registered with Bhilwadi Police Station, Vita, Dist: Sangli for the offences punishable under Sections 302, 307, 326, 324, 323, 504, 506, 143, 147, 149 of the Indian Penal Code and Section 37(1) (a) and 135 of the Maharashtra Police Act on furnishing PR.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;
- iii) The applicant shall not enter into Mumbai and territorial jurisdiction of Bhilwadi Police Station, 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 or if the applicant commits 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.

5. The application is disposed of.

(ANIL S. KILOR, J)