

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

CRIMINAL BAIL APPLICATION NO. 4333 OF 2024

Janki Dipak Shinde

...Applicant

Vs.

The State of Maharashtra and Others

...Respondents

Mr. Dilip B. Shinde with Mohan Kumbhar i/b Mr. Umesh Mankapure,
Advocate for Applicant.

Mr. P. H. Gaikwad, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 11th DECEMBER, 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. 257 of 2023 registered with Tasgoan Police Station, Sangli for the offences punishable under Sections 302, 452 and 506 read with Section 34 of the Indian Penal Code, 1860.
- 3) Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, it is evident that the death of the deceased was due to multiple injuries as noted in the PM report.

- 4) In the said backdrop, if the allegations against the applicant are considered, it is evident that in the FIR, it is alleged that the applicant came on the spot and gave a blow on the head of the deceased by a stick. However, there is no corresponding injury found on the head of the deceased. The cause of death is also not head injury.
- 5) The co-accused assaulted the deceased by a knife and because of multiple injuries, the deceased died. Thus, the injuries which are the cause of death, the co-accused are the author of the same.
- 6) In the circumstances, considering the period of incarceration of the applicant who is in jail from about one and half years and as she is a lady, I am of the opinion that she is entitled for grant bail.
- 7) However, the learned APP strongly opposed the application and submits that if the applicant is released on bail, she may pressurize the prosecution witnesses. However, considering the above-referenced observations, I am inclined to grant bail.
- 8) Accordingly, I pass the following order.

ORDER

- i The Bail Application is allowed;
- ii It is directed that the Applicant shall be released on bail in Crime No. 257 of 2023 registered with Tasgoan Police Station, Sangli for the offences punishable under Sections 302, 452 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 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;

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. The applicant shall not tamper with the prosecution evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

vi. Liberty is granted to the State to apply cancellation of bail if the applicant misuses the liberty granted or commits breach of any condition;

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.]