



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3801 OF 2023

Adesh Kisan Adawade ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Sanjeev P. Kadam a/w. Mr. Pratik Deshmukh i/b. Prashant Raul, for the Applicant.

Ms. Mahalakshami Ganapathy, APP for the Respondent-State.

CORAM : MADHAV J. JAMDAR, J.
DATED : 5th JANUARY 2024

P.C. :

1. Heard Mr. Sanjeev Kadam, learned Counsel appearing for the Applicant and Ms. Mahalakshami Ganapathy, learned APP appearing for the Respondent/State.
2. This is regular Bail Application filed under Section 439 of the *Code of Criminal Procedure, 1973* by the Applicant who is Accused No.3.
3. The relevant details are as follows:-

1	C.R. No.	356 of 2022
2	Date of Registration of F.I.R.	31 st October 2022

3	Police Station	Chiplun, Dist. Ratnagiri
4	Sections Applied	302 and 201 of IPC, 1860
5	Date of Incident	30 th October 2022 and 31 st October 2022
6	Date of Arrest	5 th November 2022
7	Date of filing of Chargesheet	31 st December 2022

4. This is a case of circumstantial evidence. As per the prosecution case, the deceased used to quarrel with the Applicant and friends of the Applicant, as the Applicant and his friends used to consume liquor near the house of the deceased. It is an admitted position that except the statements of the witnesses stating about the said quarrel, there is no incriminating material against the Applicant. The trial has not yet commenced. There are 25 witnesses. The trial is unlikely to conclude any time soon and will take a considerably long time. There are no criminal antecedents against the present Applicant.

5. Mr. Sanjeev Kadam, learned Counsel appearing for the Applicant states that as several witnesses are residing in the same locality as that of Applicant, the Applicant will reside outside the jurisdiction of Taluka Chiplun, District Ratnagiri and the Applicant will reside at Tal. Khed, Dist. Ratnagiri.

6. The Applicant does not appear to be a flight risk and can be

enlarged on bail. Accordingly, the Applicant can be enlarged on bail by imposing conditions. Hence, the following order:-

ORDER

- (a) The Applicant-Adesh Kisan Adawade be released on bail in connection with C.R. No.356 of 2022 registered with the Chiplun Police Station, Dist. Ratnagiri on his furnishing P. R. Bond of Rs.25,000/- with one or two sureties in the like amount.
- (b) The Applicant shall not enter the area of Tal. Chiplun, Dist. Ratnagiri on being released on bail except for reporting to the Investigating Officer, if called.
- (c) On being released on bail, the Applicant shall furnish his contact number and residential address to the Investigating Officer while residing outside Tal. Chiplun, Dist. Ratnagiri and shall keep the same updated, in case there is any change.
- (d) The Applicant shall report to the Khed Police Station, Dist. Ratnagiri once every week, on every Sunday between 11.00 a.m. and 1.00 p.m. till the trial concludes. The Police Inspector of Khed Police Station, Dist. Ratnagiri to communicate details thereof to the Investigating Officer.
- (e) The Applicant shall not directly or indirectly make any

inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing the facts to Court or any Police Officer. The Applicant shall not tamper with evidence.

(f) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The Applicant shall surrender his passport, if any, to the Investigating Officer.

(h) The Application is disposed of.

[MADHAV J. JAMDAR, J.]