

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

CRIMINAL BAIL APPLICATION NO. 3793 OF 2023

Prakash @ Panku Anadrao Yadav ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Satyavarat Joshi i/b Ms. Kanishka Hasabnis, Advocate for
Applicant.

Mrs. Veera Shinde, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 31st JULY, 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.78 of 2023 registered with Umbraj Police Station, Dist. Satara, for the offences punishable under Sections 307, 385, 387, 109, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code, 1860, Section 37 (1)(3) read with Section 135 and Sections 3(1)(i), 3(2) and 3(4) of Maharashtra Control of Organized Crimes Act, 1999.

3) In the present offence, the applicant is in jail for one and half years. There are counter complaints. Furthermore, on completion of investigation, the charge-sheet has been filed. Thus, considering the nature of evidence collected by the Investigating Officer during the investigation and the role attributed to the applicant coupled with the period of incarceration of the applicant with the fact that the charge-sheet has been filed, I am of the opinion that though the learned APP is strongly opposing the present application, the application needs to be allowed.

4) As far as apprehension of the learned APP that if the applicant is released on bail, he may pressurize prosecution witnesses, the same can be addressed by putting some stringent conditions. Hence, 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.78 of 2023 registered with Umbraj Police Station, Dist. Satara, for the offences punishable under Sections 307, 385, 387, 109, 143, 147, 148, 149, 323, 504 and 506 of the Indian Penal Code, 1860, Section 37 (1)(3) read with Section 135 and Sections 3(1)(i), 3(2) and 3(4) of Maharashtra Control of Organized Crimes Act, 1999, 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 not enter the territorial jurisdiction of Police Station - Umbraj, District : Satara, till conclusion of the trial, except for attending the trial.
- iv. The applicant shall provide his address and name of the nearby police station to the Investigating Officer, which he shall attend on 1st and 16th day of each month between 10:00 am and 12:00 noon, till 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 and misuse of liberty by the applicant;
- 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.]