

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3845 OF 2023

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Ranjit Babaso Gade ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Shri Vinod Sangvikar a/w Yogesh Morbale, Advs. for Applicant
Ms Sangita Yadav, APP for the State.

CORAM : ANIL S. KILOR, J.

DATE : 21ST JUNE, 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.186 of 2023, registered with Police Station, Shivaji Nagar, Ichalkaranji, District: Kolhapur for the offences punishable under Sections 307, 504 read with Section 34 of the Indian Penal Code.
3. The learned counsel for the applicant submits that in the present matter nothing has been recovered from the applicant. He

further points out that the charge-sheet has been filed and the applicant is in jail from last one year. He submits that since investigation is completed further custody of the applicant is not necessary. He, therefore, prays for grant of bail.

4. On the other hand, the learned APP strongly opposed the application and states that there is a statement of the injured who has named the applicant and since the offence is serious the applicant may not be granted bail.
5. Having gone through the charge-sheet and the statements of the witnesses, though it is evident that there are allegations against the applicant that he used sharp weapon and thereby he assaulted the injured, no weapon is recovered from the applicant.
6. As far as motive is concerned, the statements of the witnesses and the statement of the injured show that the accused Nos. 1 and 2 have threatened the injured of dire consequences for the reason that the injured made a police complaint against the accused Nos.1 and 2. Thus, considering the nature of the evidence collected against the applicant and the fact that there is no recovery from the applicant and the investigation is completed, I am of the opinion that by putting some stringent conditions the bail can be granted.

7. In the circumstances, I pass the following order:
- i) The Criminal Application is allowed.
 - ii) It is directed that the applicant shall be released on bail in connection with Crime No.186 of 2023, registered with Police Station, Shivaji Nagar, Ichalkaranji, District: Kolhapur for the offences punishable under Sections 307, 504 read with Section 34 of the Indian Penal Code, on furnishing P. R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount;
 - iii) The applicant shall not enter the territorial jurisdiction of Ichalkaranji, District : Kolhapur, till conclusion of the trial, except for attending the trial.
 - iv) The applicant shall provide his address and the name of the nearby police station to the Investigating Officer, which he shall attend on 1st and 16th day of each month between 12:00 noon and 2:00 pm, till conclusion of the 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 for cancellation of bail 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.

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

(ANIL S. KILOR, J)