



Diksha Rane

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

BAIL APPLICATION NO.388/2024

DASHARAT TATYA DESHMUKH

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Bhagyesha Kurane i/b. Adv. Vijay Kurle for the
applicant.

Mr. S. A. Karmakar, APP for the State.

PSI G. J. Karnewad, Mohol Police Station, Solapur.

CORAM : M. S. KARNIK, J.

DATE : APRIL 23, 2024.

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for bail in respect of the offence
punishable under Sections 307, 324, 447, 33, 504, 506, 143,
147, 148, 149 of the Indian Penal Code (hereafter 'IPC' for
short) read with Sections 4 and 25 of the Arms Act
registered on 10/12/2022 vide C.R. No.1150/2022 with
Mohol Police Station, Solapur.

3. The applicant was arrested on 20/2/2023. The injured
witness and the applicant are the real brothers. The

complainant purchased some land. The applicant during quarrel with the complainant said that the land belongs to him and that the family of the complainant should not cultivate the land. On the date of the incident i.e. on 10/12/2022 it is alleged that the applicant and his family members armed with deadly weapons assaulted the complainant's husband and her family members.

4. I have perused the injury certificate which is at page 114 of the paper-book. The injury Nos.1 and 5 are shown to be grievous injuries on the vital part.

5. Learned APP for the State opposed the application for bail. It is submitted that the applicant had absconded.

6. The applicant is in custody for more than one year and two months with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant.

7. Learned counsel for the applicant submitted that the applicant will not enter the jurisdiction of Mohol Police Station till the trial concludes or till further orders of the trial Court. Statement is accepted.

8. In the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail but by imposing stringent conditions. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Dasharat Tatya Deshmukh in connection with C.R. No.1150/2022 registered with Mohol Police Station, Solapur, shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant shall attend the Investigating Officer of Mohol police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m. till the trial concludes.
- (d) 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 from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.
- (e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicant shall not enter the jurisdiction of Mohol Police Station after being released on bail, till the trial concludes. Liberty to apply for modification of this condition before the trial Court at a later stage.

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

(h) The applicant shall surrender his passport to the investigating officer.

9. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

10. The application is disposed of.

(M. S. KARNIK, J.)