

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

BAIL APPLICATION NO. 482 OF 2024

Rohan Arun Bansode

.Applicant

Versus

The State of Maharashtra

.Respondent

Mr. Rohan Hogle, Advocate, for the Applicant
 Ms. S. S. Kaushik, APP, for the Respondent – State
 Mr. Kalyan Ghadge, A.P.I., Mahalunge M.I.D.C. Police Station,
 present

CORAM: MADHAV J. JAMDAR, J.

DATE: 22.02.2024

P. C.

1. Heard Mr. Hogle, learned Counsel appearing for the Applicant and Ms. Kaushik, learned APP appearing for the Respondent-State.

2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:-

1.	C. R. No.	347 of 2023
2.	Date of Registration of F.I.R.	21.06.2023
3.	Name of Police Station	Mahalunge M.I.D.C., Pune district
4.	Sections invoked	364A, 397, 295A, 323, 504 & 506 of the IPC, 1860
5.	Date of incident	20.06.2023
6.	Date of arrest	21.06.2023
7.	Date of filing of Charge-sheet	19.08.2023

3. As per the prosecution case, the informant/injured went to bring medicines from his brother and thereafter, one Auto-Rickshaw came there and he sat in that Auto-Rickshaw. There were other three persons already sitting on the rear seat of the Auto-Rickshaw and some quarrel took place amongst those three persons and the injured. Thereafter, the injured was assaulted by the Applicant and other four accused and one juvenile.

4. Mr. Hogle, learned Counsel appearing for the Applicant submitted that the Applicant is a college student and that he is behind bars from 21.06.2023 and his academic career will be spoilt. He submitted that although the Applicant and the injured are not knowing each other even T. I. Parade is also not conducted. He submitted that the material on record does not show that the Applicant is involved in the offence in question. There are no antecedents.

5. On the other hand, Ms. Kaushik, learned APP appearing for the Respondent – State submitted that there is a video script which shows involvement of the Applicant in the crime. She further submitted that the Applicant and other co-Accused have mercilessly assaulted the Injured.

She strongly opposed the Bail Application.

6. Perusal of the record shows that the incident in question has taken place in a spur of the moment and does not appear to be premeditated. The date of the incident is 20.06.2023 and the Applicant was apprehended on 21.06.2023. The Applicant is a student studying in F.Y.B.A. at the Chakan Shikshan Mandal's Arts & Commerce College, Chakan. As per the Charge-sheet, 22 witnesses are proposed to be examined by the prosecution. The trial is likely to take a considerably long time.

7. The Applicant does not have any criminal antecedents.

8. The Applicant does not appear to be at risk of flight.

9. Accordingly, the Applicant can be enlarged on bail by imposing conditions. In view thereof, the following order:-

ORDER

(a) The Applicant – Rohan Arun Bansode be released on bail in connection with C. R. No.347 of 2023 registered with the Mahalunge M.I.D.C. Police Station – Pimpri Chinchwad, on his furnishing P. R. Bond of Rs.10,000/- with one or two solvent sureties in the like amount.

(b) The Applicant is permitted to furnish cash bail surety in the sum of Rs. 10,000/- for a period of two months in lieu

of surety.

- (c) On being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (d) The Applicant shall report to the Mahalunge M.I.D.C. Police Station, Pimpri Chinchwad on the first Sunday of every month between 11.00 a.m. and 1.00 p.m. until the conclusion of the trial.
- (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 such a person from disclosing the facts to the Court or to any Police personnel.
- (f) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (g) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.
- (h) The Applicant shall surrender his passport, if any, to the Investigating Officer.

9. The Bail Application is disposed of accordingly.
10. It is clarified that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, uninfluenced by the observations made in this order.

[MADHAV J. JAMDAR, J.]