

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

Cri.Bail Application No.887 of 2023

Mr Rohit Ravindra More ... Applicant.

Versus

The State of Maharashtra ... Respondents.
(RCF Police station)

Mr Avinash Bailmare for the applicant.
Ms Shilpa Talhar APP for respondent/State.
PSI HT Kedari, RCF Police station is present.

Coram : R. N. Laddha, J.

Date : 30 April 2024.

P.C. :

Heard Mr. Avinash Bailmare, the learned Counsel appearing for the applicant/accused and Ms Shilpa Talhar, APP appearing on behalf of the respondent/State.

2. By this application, the applicant is seeking bail in connection with CR No.523 of 2021 registered at RCF police station, Mumbai, against the applicant for offence punishable u/s 307, 326, 323, 504, 506(2) IPC and Section 37(1)(A) and 135 of the Maharashtra Police Act.

3. The learned Counsel for the applicant submits that the

applicant was arrested on 5 August 2021 and since then he is behind the bars. The Sessions Court rejected the applicant's application for bail. He submits that there is no flight risk as the applicant undertakes to face the trial. The investigation is completed and the charge sheet has been filed. Therefore, custodial interrogation of the applicant is not warranted. Moreover, there are no criminal antecedents against the applicant.

4. Ms Shilpa Talhar, learned APP for the State, contends that the offence is serious. The weapon used in the crime was seized at the instance of the applicant. The applicant attacked the injured with a knife to the stomach and shoulder, necessitating a considerable hospital stay.

5. This Court has perused the copy of the charge sheet filed alongwith the application. The perusal of complaint leading to registration of an FIR shows that the applicant is named as an assailant. The medical certificate in the record indicates that the injured suffered incised wound. Additionally, during custody, the applicant attempted to escape, resulting in another offence. The applicant and the prosecution witnesses are residing in the same locality. The

weapon used in the crime was seized at the behest of the applicant. Multiple eye witnesses observed the incident. Notably, one of the witnesses, Suresh, was also assaulted by the applicant when he tried to calm down the applicant. There is, thus, *prima facie* material indicating the applicant's involvement in the commission of the crime.

6. In view of above, the applicant cannot be granted bail. Accordingly, the bail application stands rejected.

7. It is made clear that the observations herein are *prima facie* and the trial court shall decide the case, on its own merits and in accordance with the law, uninfluenced by the observations made in this order. However, considering the age of the applicant, this Court requests the learned trial Court to accelerate the hearing of the trial.

[R. N. Laddha, J.]