



Diksha Rane

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

BAIL APPLICATION NO.1026/2024

RAHIM HUSAIN SHAIKH

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Amit Icham a/w. Adv.D. Tahsildar for the applicant.
Mr. B. B. Kulkarni, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : MARCH 20, 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, 504, 506 of the Indian Penal Code (hereafter 'IPC' for short) registered on 27/6/2022 vide C.R. No.525/2022 with Yawat Police Station, Pune.
- 3.** It is alleged by the complainant that he knows the present applicant. On 27/6/2022, the incident happened at around 4.15 p.m. The complainant with one of his friend was sitting under a tree. The applicant happened to come there. The complainant asked him to sit away from them at some

distance. This annoyed the applicant. He left the place and came back after some time with a sickle and assaulted the complainant and other injured witness. There are eye witnesses to the incident.

4. Learned APP submitted that the injuries suffered by the victim are grievous in nature. It is further submitted that having regard to the accusations, the application be rejected.

5. The applicant was arrested on 28/6/2022 and now is in custody for almost twenty-one months. The trial is not likely to conclude any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. In the facts and circumstances of the present case, continuing the custody of the applicant will amount to a pre-trial punishment. The applicant can be enlarged on bail by imposing conditions. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Rahim Husain Shaikh in connection with C.R. No.525/2022 registered with Yawat Police Station, Pune

shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Yawat police station, Pune, once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(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 Taluka Daund after being released on bail, till the trial concludes.

(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.

6. The application is disposed of.

(M. S. KARNIK, J.)