



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

BAIL APPLICATION NO. 1343 OF 2024

ADITYA DADA MARNE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Priyal Sarda a/w Adv. Kishan Chaudhari for the
Applicant.

Mr. S.H. Yadav, APP for the State.

PSI V.H. Pawar, Kothrud Police Station, Pune.

CORAM : M. S. KARNIK, J.

DATE : APRIL 15, 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, 326, 341, 323, 504 and 34 of the Indian Penal Code (hereafter 'IPC' for short) and Sections 4 and 25 of the Indian Arms Act, registered on 26/03/2023 vide C.R. No.82 of 2023 with Kothrud Police Station, Pune.
3. The applicant was arrested on 27/03/2023. The earlier

Bail Application No. 2320 of 2023 was withdrawn vide order dated 19/12/2023 and liberty was granted to the applicant to apply for bail after 3 months.

4. It is the allegation that on 25/03/2023, 4 accused persons who were armed with sharp-edged weapons assaulted the complainant. One of the co-accused assaulted the victim on his head with a sharp-edged weapon. So far as the present applicant is concerned, he assaulted the victim on his thighs with a sickle.

5. Learned APP opposed the application and submitted that the offence is serious. The accused persons chased the victim when he was trying to run away and thereafter, the assault took place. He further submitted that one more offence was registered against the applicant under Section 307 of the IPC. He submits that in view of the criminal antecedent, the applicant should not be enlarged on bail.

6. The applicant is in custody for more than 2 years as an undertrial. The charge has not yet been framed. The trial is not likely to conclude any time soon. In the facts and circumstances of the present case, the criminal antecedent

should not be a factor to deprive the applicant the facility of bail. The investigation is complete and the charge-sheet has been filed. In my opinion, the applicant can be enlarged on bail by imposing stringent conditions. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Aditya Dada Marne in connection with C.R. No.82 of 2023 registered with Kothrud Police Station 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 is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.
- (d) The applicant shall attend the Investigating Officer of Kothrud police station once in a month, on the first Wednesday of every month, between 11.00 a.m. and 1.00 p.m.
- (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 him from disclosing the facts to Court or any Police

Officer. The applicant shall not tamper with evidence.

(f) 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.

(g) Except for the purpose of reporting to the Investigating Officer, the applicant shall not enter the jurisdiction of Kothrud Police Station after being released on bail till further orders of the trial Court.

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

(i) The applicant shall surrender his passport to the investigating officer. If the applicant does not have a passport, the applicant shall file an affidavit before the trial Court to that effect.

(j) The application is disposed of.

(M. S. KARNIK, J.)