



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1246 OF 2023

Vitthal Keshav More

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Pavan S. Patil a/w. Mr. Nitin Jagtap, Advocates for the Applicant.
Ms. Anamika Malhotra, APP for the Respondent-State.

CORAM : MADHAV J. JAMDAR, J.

DATED : 18th JANUARY 2024

P. C.

1. Heard Mr. Patil, learned Counsel appearing for the Applicant and Ms. Malhotra, 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.	266 of 2021
2. Date of Registration of F.I.R.	19/04/2021
3. Name of Police Station	Shirur Police Station, Pune Rural, Pune
4. Section invoked	302 of the I.P.C., 1860
5. Date of Incident	19/04/2021
6. Date of Arrest	02/07/21
7. Date of filing of Charge-sheet	07/09/2021

3. As per the prosecution case, the Informant-Ganesh Sahebrao Dhumal was running a restaurant and he had employed the Applicant and the deceased Ramesh Sharma. The Informant appointed both of them for a salary of Rs.9,000/- per month. Due to COVID-19 pandemic, on 1st April 2021, the Informant told both of them to leave the restaurant. However, they requested the Informant to allow both of them to stay in the said restaurant.

4. It appears that Applicant has given Rs.5,000/- to the deceased and deceased Ramesh Sharma refused to repay the same therefore, a sudden quarrel occurred between both of them. The Applicant assaulted the deceased with a knife kept in the kitchen of the said restaurant.

5. It is an admitted position that the investigation has been completed and that the Charge-sheet has been filed on 7th September 2021. There are 23 witnesses as per the Charge-sheet. The trial is unlikely to conclude any time soon and is likely to take a considerably long time. The Applicant does not have any criminal antecedents.

6. The Applicant does not appear to be at 'flight risk'.

7. Accordingly, the Applicant can be enlarged on bail by imposing

conditions. In view thereof, the following order:-

ORDER

- (a) The Applicant-Vitthal Keshav More be released on bail in connection with C.R. No.266 of 2021 registered with the Shirur Police Station, Pune Rural, Taluka-Shirur, District-Pune on his furnishing P R. Bond of Rs.5,000/- with one or two sureties in the like amount.
- (b) 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 there is any change.
- (c) The Applicant shall report to the Shirur Police Station, Pune Rural, Taluka-Shirur, District-Pune on first Sunday of every month between 11.00 a.m. and 1.00 p.m. till the conclusion of the trial.
- (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 such a person from disclosing the facts to Court or to any Police personnel.

(e) The Applicant shall not tamper with the evidence and shall not contact or influence the complainant or any witnesses in any manner.

(f) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.

(g) The Applicant shall surrender his passport, if any, to the Investigating Officer.

8. The Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]