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

BAIL APPLICATION NO.1504 OF 2024

BHASKAR BABAN KARNUK	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

**WITH
INTERIM APPLICATION ST. NO.10207 OF 2024
IN
BAIL APPLICATION NO.1504 OF 2024**

MAHENDRA KASHINATH PATIL	..APPLICANT
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IN THE MATTER BETWEEN

BHASKAR BABAN KARNUK	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

Adv. Hrishikesh Mundargi i/b. Adv. Varun V. Thokal for the applicants.

Smt. Megha S. Bajoria, APP for the State.

Adv. Ganesh Gupta a/w Adv. Madan C. Khansole a/w Adv. Sahil Ghorpade a/w Adv. Jagrut Patil i/b. G.G. Legal Associates for the intervener/complainant.

PSI-Meenal Vitthal Shinde, Rasayani Police Station.

CORAM : M. S. KARNIK

DATE : 8 MAY, 2024

P.C. :

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the complainant.

2. This is an application for bail in respect of the offence punishable under Sections 307, 326, 324, 452, 143, 147, 148, 149, 504, 506, 427 of the Indian Penal Code, 1860 (hereafter 'IPC' for short) and under Sections 37(1)(3), 135 of the Maharashtra Police Act registered on 01.02.2023 vide C.R. No.23 of 2023 with Rasayani Police Station, Raigad.

3. The earlier application for bail filed by the applicant who is the accused No.1 was allowed to be withdrawn on 07.10.2023 with liberty to apply after six months.

4. There are in all 9 accused. The applicant is the accused No.1. The applicant was arrested on 01.02.2023. It is alleged that the applicant and the other accused armed with sword and deadly weapons assaulted the members from the complainant's side. The allegation is that the present applicant assaulted the injured witness on his head. It is also alleged that the applicant assaulted Jayram Patil on his head. The injured witnesses who are assaulted by the applicant suffered grievous injuries.

5. Learned APP as well as learned counsel for the complainant vehemently opposed the application for bail. It

is submitted that there are criminal antecedents reported against the applicant under Section 324 of the IPC. The applicant was juvenile at the relevant time. The applicant has been acquitted.

6. It is submitted by learned counsel for the complainant that the injured witnesses were hospitalised for eight to ten days. It is further submitted that there is every possibility of threats to the complainant and the witnesses if the applicant is enlarged on bail. It is submitted that one NC has been filed with the police station due to threats given at the instance of the applicant.

7. The applicant was arrested on 01.02.2023. I have perused the injury certificate. There is a cross FIR filed. The charge has not been framed. The investigation is complete and the charge-sheet has been filed. The trial is not likely to conclude soon. In the facts and circumstances of the present case I am inclined to enlarge the applicant on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Bhaskar Baban Karnuk in connection with C.R. No.23 of 2023 registered with Rasayani Police Station, Raigad 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) Except for attending the trial, the applicant shall not enter the jurisdiction of Raigad district till the trial concludes.

(d) The applicant shall furnish details of his contact number and residential address to the trial Court as well as the concerned police station and shall report to the nearest police station at the place of his residence outside Raigad district twice a month every first and third Monday of the 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) The applicant shall not threaten or intimidate the complainant and the witnesses.

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

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- 8.** The bail application is disposed of.
- 9.** The interim application is also disposed of.

(M. S. KARNIK, J.)