

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

CRIMINAL BAIL APPLICATION NO.1550 OF 2023

Ramakant Chaya Mengal

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Gaurav Parkar, Advocate for the Applicant

Mr. P. H. Gaikwad, APP for the Respondent-State

CORAM : MADHAV J. JAMDAR, J.

DATED : 10th JANUARY 2024

P.C. :

1. Heard Mr. Parkar, learned Counsel appearing for the Applicant and Mr. Gaikwad, learned APP appearing for the Respondent-State.
2. This is a regular Bail Application filed under Section 439 of the *Code of Criminal Procedure, 1973*.
3. The relevant details are as follows:-

1	C.R. No.	250 of 2022
2	Date of Registration of F.I.R.	15/11/2022
3	Police Station	Revdanda, District - Raigad
4	Sections Applied	302 of I.P.C., 1860
5	Date of Incident	15/11/2022
6	Date of Arrest	15/11/2022

7	Date of filing of Charge-sheet	Charge-sheet filed
8	Sections applied in Charge-sheet	302, 323 & 449 of I.P.C., 1860

4. As per the prosecution case, the Applicant-Accused killed his wife with a knife. The allegation is that the Applicant is an alcoholic and that he, under the influence of alcohol, used to assault his wife.

5. It is the contention of the learned Counsel appearing for the Applicant that the injuries are not on the vital body parts of the deceased. The Applicant is under incarceration since 15th November 2022. The Charge-sheet has already been filed.

6. Mr. Gaikwad, learned APP opposed the Bail Application. It is the submission of learned APP that there are eye-witnesses to the incident and the Applicant has purchased the said knife, which has been used to commit the offence in question and that there is recovery of weapon at the instance of the Applicant.

7. The position on record shows that the Charge-sheet is filed. There are around 15 prosecution witnesses. The trial is unlikely to conclude any time soon and is likely to take a considerably long time.

8. The Applicant does not have any criminal antecedents.

9. The Applicant does not appear to be a flight risk.

10. Mr. Parkar, learned Counsel appearing for the Applicant states that though the Applicant is resident of Revdanda, as most of the witnesses are from that place, the Applicant will reside out of Alibag Taluka at Borwadi, Pen Taluka at his relatives's residence.

11. Accordingly, the Applicant can be enlarged on bail by imposing conditions. Hence, the following order:-

ORDER

(a) The Applicant-Ramakant Chaya Mengal be released on bail in connection with C.R. No.250 of 2022 registered with the Revdanda Police Station, District-Raigad on his furnishing a Personal (P.R.) Bond of Rs.25,000/- with one or two sureties in the like amount.

(b) The Applicant shall not enter the area under the jurisdiction of the Revdanda Police Station, District-Raigad after being released on bail except for reporting to the Investigating Officer, if called.

(c) On being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigating Officer while residing outside the jurisdiction of Revdanda Police Jurisdiction and shall keep

the same updated, in case there is any change.

(d) The Applicant shall report to the Pen Police Station, District Raigad once every week, on every Sunday between 11.00 a.m. and 1.00 p.m. till the conclusion of trial. The Police Inspector of Pen Police Station, to communicate details thereof to the Investigating Officer.

(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.

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

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

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

12. The Application is disposed of.

BHALCHANDRA
GOPAL
DUSANE

(MADHAV J. JAMDAR, J.)