

Dusane

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

CRIMINAL BAIL APPLICATION NO.2207 OF 2023

BHALCHANDRA
GOPAL DUSANE

Amol Sunil Lavangare

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms. Sana Raees Khan a/w Aditya Parmar for
Applicant

Ms. Veera Shinde, APP for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.

DATE: 15th JANUARY 2024

P.C.:

1. Heard Ms. Khan, learned Counsel appearing for the Applicant and Ms. Shinde, learned APP appearing for the Respondent-State.

2. This is a regular Bail Application preferred under Section 439 of the *Code of Criminal Procedure, 1973*.

3. The relevant details are as follows:

1.	C.R. No.	654 of 2022
2.	Date of Registration of F.I.R.	22/12/2022
3.	Police Station	Daund, District Pune
4.	Sections Applied	302 of I.P.C., 1860

5.	Date of Incident	11/12/2022
6.	Date of Arrest	20/12/2022
7.	Date of filing of Charge-sheet	13/03/2023

4. As per the prosecution case, the incident occurred on 11th December 2022. A quarrel took place at 10.00 p.m. between the deceased and the Applicant when the deceased and the Applicant were together. The Applicant assaulted the deceased with a wooden stick.

5. Ms. Shinde, learned APP strongly opposed the Bail Application on the ground that there are circumstances to show involvement of the Applicant in the offence.

6. However, the date of the incident is 11th December 2022 and the date of lodging of F.I.R. is 20th December 2022. As a result of the injuries suffered in the said assault, the deceased was admitted to a hospital for about 7 days. The deceased eventually succumbed to the said injuries on 18th December 2022. The case is of circumstantial evidence. There are no eye-witnesses.

7. The trial is unlikely to conclude any time soon and is likely to take a considerably long time. The present Applicant does not have any criminal antecedents.

8. Ms. Khan, learned Counsel appearing for the Applicant states that as several witnesses are residing in the same locality

as that of the Applicant, therefore, the Applicant will reside outside District-Pune and the Applicant will reside at Lalgun Village, District-Satara, 415503.

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

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

ORDER

(a) The Applicant Amol Sunil Lavangare be released on bail in connection with C.R. No. 654 of 2022, registered with Daund Police Station, District Pune on his furnishing P.R. Bond of Rs.25,000/- with one or two solvent sureties in the like amount.

(b) The Applicant shall not enter the area of District-Pune after being released on bail except for reporting to the Investigating Officer, if called and for attending the Trial.

(c) On being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigating Officer while residing outside District-Pune and shall keep the same updated, in case there is any change.

(d) The Applicant shall report to the Pusegaon-Police Station, District-Satara 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 Pusegaon Police Station, District-Satara to communicate details thereof to the Investigating Officer.

(e) The Applicant shall not directly or indirectly make any inducement, threat or promise or any person acquainted with the facts of the case so as to dissuade him/her 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. The Applicant 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.

11. The Application is disposed of.

(MADHAV J. JAMDAR, J.)