



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

CRIMINAL BAIL APPLICATION NO. 2465 OF 2023

Ganesh Khanna Naidu	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Ranjeet H. Patil, for the Applicant.

Ms. M. H. Mhatre, APP for the Respondent-State.

CORAM : MADHAV J. JAMDAR, J.

DATED : 9th JANUARY 2024

P.C. :

1. Heard Mr. Patil, learned Counsel appearing for the Applicant and Ms. Mhatre, 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* by the Applicant who is the sole Accused.
3. The relevant details are as follows:-

1.	C.R. No.	314 of 2022
2.	Date of Registration of F.I.R.	16/09/2022
3.	Police Station	Mahatma Gandhi Chowk Police Station, Miraj, District Sangli
4.	Sections Applied	302 of I.P.C., 1860
5.	Date of Incident	16/09/2022

6.	Date of Arrest	16/09/2022
7.	Date of filing of Chargesheet	28/11/2022

4. According to the prosecution case, there was a dispute between the Applicant and the deceased on account of damage caused to the Pan Shop of the Applicant by the deceased. The material on record shows that a sudden quarrel occurred between the Applicant and the deceased. The Applicant assaulted the deceased by kicking and punching.

5. It is the submission of learned Counsel appearing for the Applicant that there was no intention on the Applicant's part to cause death of the deceased.

6. Learned APP strongly opposes the Bail Application on the ground that there are five cases previously registered against the Applicant under the Narcotic Drugs and Psychotropic Substances Act, 1985. It is an admitted position that, in all those cases, the Applicant has been enlarged on bail.

7. The Applicant was having a small Pan Shop. The material on record does not show that any weapon has been used.

8. The Chargesheet is already filed. There are 21 witnesses as per

the Chargesheet. The trial is unlikely to conclude any time soon and is likely to take a considerably long time.

9. Mr. Patil, 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 Sangli and that the Applicant will reside at C/o. Omkar Sunil Bhise R/at. Jarewadi, Taluka Koregaon, District Satara.

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

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

ORDER

(a) The Applicant-Ganesh Khanna Naidu be released on bail in connection with C.R. No.314 of 2022 registered with the Mahatma Gandhi Chowk Police Station, Taluka Miraj, District Sangli on his furnishing P. R. Bond of Rs.25,000/- with one or two sureties in the like amount.

(b) The Applicant shall not enter the District Sangli after being released on bail except for reporting to the Investigating Officer, if called and to attend 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 Sangli and shall keep the same updated, in case there is any change.

(d) The Applicant shall report to the Koregaon Police Station, Taluka Koregaon, 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 Koregaon Police Station, Taluka Koregaon, District Satara 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/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.

12. The Bail Application is disposed of.

[MADHAV J. JAMDAR, J.]