



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

BAIL APPLICATION NO.2768 OF 2023

PRAKASH TANAJI JADHAV

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Samay Pawar for the applicant.
Mr. S.A. Karmakar, APP for the State.
PSI Ahire, MIDC Bhosari Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 27, 2024

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.
2. This is an application for bail in respect of the offence punishable under Sections 302, 324, 323, 504, 143, 144, 147, 148, 149 of the Indian Penal Code and Sections 37(1) (3) read with 135 of the Maharashtra Police Act and Sections 4(25) and 27 of the Indian Arms Act and Sections 3 and 7 of the Criminal Law Amendment Act, registered on 26/10/2022 vide C.R. No.629 of 2022 with MIDC Bhosari Police Station, Pimpri-Chinchwad.

3. There are in all 10 accused. The present applicant is accused No.7. The alleged incident took place on 25/10/2022 at about 23.30 hrs. The accusation is that the accused have assaulted Pavan Vishnu Lashkare (the deceased). The allegation against the applicant is that he made an attempt to assault one of the witness with Koyta. The witness avoided the blow and ran away.

4. Learned APP opposed the application contending that the applicant was present at the spot and had participated in the assault on the witness who was along with the deceased.

5. The applicant is not attributed the role of assaulting the deceased. The applicant was arrested on 18/01/2023 and is now in custody for more than 13 months as an undertrial. The trial is likely to take a long time to conclude. There are no criminal antecedents reported against the applicant. The investigation is complete and the charge-sheet is filed. 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- Prakash Tanaji Jadhav in connection with C.R. No.629 of 2022 registered with MIDC Bhosari Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.
- (c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.
- (d) The applicant shall attend the Investigating Officer of MIDC Bhosari police station once in a month, first Wednesday of every 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) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.
- (g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall

not seek unnecessary adjournments.

6. The application is disposed of.

(M. S. KARNIK, J.)