



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

BAIL APPLICATION NO. 3025 OF 2023

1. MADHUKAR LAXMAN SHINDE	
2. NAVNATH MADHUKAR SHINDE	..APPLICANTS
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

Mr. Aniket Nikam a/w Mr. Amit Icham, for the Applicants.
Mr. S.H. Yadav, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 22, 2024

P.C. :

1. Heard learned counsel for the applicants and learned APP for the State.
2. On the instructions, learned counsel for the applicants seeks permission to withdraw the bail application so far as the applicant no.1-Madhukar Laxman Shinde is concerned. The bail application is allowed to be withdrawn with liberty to apply after 6 months with respect to applicant no.1-Madhukar Laxman Shinde.
3. This is an application for bail in respect of the offences punishable under sections 302, 307, 326, 324, 341, 323,

504, 506 read with 34 of the Indian Penal Code, 1860 registered vide First Information Report (FIR) No.15 of 2023 on 10/01/2023 with Chandwad police station, Nashik.

4. So far as the applicant no.2-Navnath Madhukar Shinde is concerned, it is alleged that the accused assaulted the deceased when he tried to intervene in the quarrel which the accused had with the son of the deceased. The applicant no.1-Madhukar assaulted the deceased with iron rod whereas the applicant no.2- Navnath is alleged to have assaulted the deceased with wooden stick. I have perused the PM notes. Considering the role of the applicant no.2 and the weapon used i.e. the wooden stick, the nature of injuries, in the facts and circumstances of the present, I am enlarging the applicant no.2 on bail. There is nothing on record to show that there are criminal antecedents reported against the applicant no.2 Navnath. The investigation is complete. The charge-sheet has been filed. The applicant no.2 is in custody for more than 1 year and 1 month since his arrest on 10/01/2022. I am informed that charge has not been framed so far. The applicant no.2 does not appear to be a flight risk. Hence the following order.

ORDER

(a) The application is allowed with respect to applicant no. 2- Navnath Madhukar Shinde.

(b) The applicant no.2-Navnath Madhukar Shinde in connection with FIR No. 15 of 2023 registered with Chandwad police station, Nasik 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) The applicant no.2 shall report to the investigating officer of the concerned police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant no.2 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.

(e) On being released on bail, the applicant no.2 shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) Except for attending the trial and for the purpose of reporting to the investigating officer, the applicant shall not enter the area of Kokankhede, Taluka-Chandwad, District - Nashik after being released on bail.

(g) After a period of 6 months, it is open for the applicant no.2 to make an appropriate application to the trial Court for modification of the condition to enter the area of Kokankhede, Taluka-Chandwad, District - Nashik which shall be considered on its own merits and in accordance with law.

(h) The applicant no. 2 shall attend the trial regularly. The applicant no.2 shall co-operate with the trial Court and shall not seek unnecessary adjournments.

5. The application is disposed of.

(M. S. KARNIK, J.)