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

BAIL APPLICATION NO.4081 OF 2023

AMIT BAJRANG MANE

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Anjali Patil for the applicant.

Mr. S. H. Yadav, APP for the State.

Mr. Sandip Kailas Borkar, PSI, Chakan Police Station.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 25, 2024

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail filed by the applicant in connection with C.R. No.689 of 2022 registered with Chakan Police Station on 01.05.2022 for the offence punishable under Section 307, 392 read with 34 of the Indian Penal Code, 1860.

3. The date of the incident is 30.04.2022. The prosecution case is that the applicant, the complainant-injured witness Mahesh and one more person were travelling in a car. On the way they had stopped for

consuming liquor. Thereafter, they again proceeded to their destination. There were some quarrel between the applicant and the injured witness. The applicant assaulted the injured witness on his neck with sharp edged weapon. The medical certificate is at page 48 of the paper-book. The injured witness was discharged on the same day from the hospital after necessary first aid. The injuries sustained were CLW neck – 12 X 2 X 2 cm anterior side of neck and CLW 6 X 4 X 2 cm over chin with knife.

4. Learned APP submitted that apart from the accusations which are serious in nature, the applicant is a habitual offender and there are six cases registered against him for the IPC offences. Learned APP submitted that while on parole the offences are committed by the applicant.

5. Learned counsel for the applicant submitted that in two of the cases the applicant is acquitted and in other cases the applicant is enlarged on bail. Learned counsel for the applicant submitted that even the applicant is willing to stay outside Pune district.

6. The previous Bail Application No.862 of 2023 filed by

the applicant is disposed of by this Court on 12.09.2023 with liberty to apply after three months, if the trial does not progress substantially. I am informed that there is no progress in the trial and even the charge has not been framed.

7. Learned APP submitted that the trial Court may be directed to expedite the trial. I am not inclined to accept the request of the learned APP that the trial be expedited considering that the trial Court is overburdened and the facts of the present case do not justify an order for expediting the trial.

8. The applicant was arrested on 01.05.2022 and is now in custody for one year and eight months. I am inclined to enlarge the applicant on bail. However, considering the antecedents, I propose to impose the stringent conditions. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant – Amit Bajrang Mane in connection with C.R. No.689 of 2022 registered with Chakan

Police Station shall be released on bail on furnishing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant shall attend the Investigating Officer at the police station nearest to his residence while residing outside Pune district every 1st and 15th day of each month between 11.00 a.m. and 1.00 p.m. commencing March 2024.

(d) Except for attending the trial, the applicant shall not enter within the jurisdiction of Pune district till the trial concludes.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant should not tamper with evidence.

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer of the concerned Police Station and shall keep him updated, if 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.

(h) It is made clear that in case of any breach of condition on the part of the applicant it is always open for the prosecution to move this Court for seeking cancellation of bail.

9. The bail application is disposed of.

(M. S. KARNIK, J.)