



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

CRIMINAL BAIL APPLICATION NO. 4254 OF 2023

Suraj Motiram Shejwal	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Akshay Bankapur, for the Applicant.

Ms. Mahalakshami Ganapathy, APP for the Respondent-State.

**CORAM : MADHAV J. JAMDAR, J.
DATED : 4th JANUARY 2024**

P.C. :

1. Heard Mr. Bankapur, learned Counsel appearing for the Applicant and Ms. Mahalakshami Ganapathy, learned APP appearing for the Respondent/State.
2. This is regular Bail Application filed under Section 439 of the *Code of Criminal Procedure, 1973* by the Applicant who is Accused No.3.
3. The relevant details are as follows:-

1	C.R. No.	362 of 2022
2	Date of Registration of F.I.R.	4 th December 2022
3	Police Station	Nashik Road
4	Sections Applied	302, 504 r/w. 34 of IPC, 1860

5	Date of Incident	3 rd December 2022
6	Date of Arrest	8 th December 2022
7	Date of filing of Chargesheet	5 th March 2023
8	Stage of Trial	Not commenced.
9	Previous Criminal Antecedents	No

4. Perusal of the material on record shows that the deceased was assaulted by weapons by Accused No.1-Bala alias Sudarshan Jagan Jadhav and Accused No.2-Dinesh Jagan Jadhav. The present Applicant has not been named in the FIR and he has been identified as an unknown person.

5. It is an admitted position that test identification parade has not been conducted. Assuming that the Applicant is involved in crime, still there is no major role attributed to the present Applicant. The trial is unlikely to be concluded any time soon and will take a considerably long time. There are no criminal antecedents reported against the Applicant. The Applicant does not appear to be a flight risk and can be enlarged on bail.

6. Mr. Bankapur, learned Counsel appearing for the Applicant states that as the witnesses are from Nashik, the Applicant will reside outside Nashik District and the Applicant will reside at C/o. Aarti

Pravin Kedare, A/10, 1st Floor, Saibaba Apartment, Vijay Nagar,
Kalyan (East), Thane.

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

ORDER

- (a) The Application is allowed.
- (b) The Applicant Suraj Motiram Shejwal be released on bail in connection with C.R. No.362 of 2022 registered with Nashik Road Police Station, Nashik on his furnishing P. R. Bond of Rs.25,000/- with one or two sureties in the like amount.
- (c) The Applicant shall not enter the area covered under the jurisdiction of Nashik Road Police Station, Nashik on being released on bail except for reporting to the Investigating Officer, if called.
- (d) On being released on bail, the Applicant shall furnish his contact number and residential address to the Investigating Officer while residing outside the jurisdiction of Nashik Road Police Station, Nashik and shall keep the same updated, in case there is any change.
- (e) The Applicant shall report to the Kolashewadi Police Station, Kalyan once every week, on every Sunday between 11.00 a.m. and 1.00 p.m. till the trial concludes. The Police Inspector of Kolashewadi

Police Station, Kalyan to communicate details thereof to the Investigating Officer.

(f) 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. The Applicant shall not tamper with evidence.

(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.

(i) The Application is disposed of.

[MADHAV J. JAMDAR, J.]