

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.219 OF 2024

Dinesh Dattatray Shinde

Applicant

versus

The State of Maharashtra

Respondent

Mr.Shailesh D. Chavan with Mr.Hrishikesh S.Avhad, Advocate for Applicant.

Mr.Sameer M.Mangaonkar, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 21th June 2024

PC : WP

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.497 of 2023, registered with Khed Police Station, Pune District, for the offences punishable under Sections 307, 143, 147, 148, 149 of the Indian Penal Code r/w Sections 4/ 24 of Indian Arms Act.
3. In the present matter the allegations against the accused persons are the same. It is alleged that some sticks and weapons were used by the accused for assaulting the son of complainant. Nothing is recovered from the Applicant. The recovery of clothes is made but no blood stains were found on clothes.
4. Learned APP strongly opposed the the application and submitted that injuries were grievous and the injured has not yet been recovered completely. It is pointed out that he is still unable to speak.

5. Having considered the fact that Applicant is in jail from last one year and charge sheet is filed, further more, the fact that nothing is recovered from the Applicant, I am of the opinion that further custody of the Applicant is not necessary. He is entitled to be released on bail.

6. As far as apprehension expressed by learned APP that if the Applicant is released on bail, he may presWPsurize the witnesses or may tamper the prosecution evidence , the said can be address by putting stringent conditions.

7. Accordingly I pass following order :

ORDER

- (i) Criminal Bail Application is allowed and disposed off;
- (ii) It is directed that the applicant shall be released on bail in Crime No.497 of 2023 registered with Khed Police Station, District Pune, for the offences punishable under SeWPctions 307, 143, 147, 148, 149 of the Indian Penal Code r/w Sections 4 and 25 of Maharashtra Arms Act, on furnishing PR.Bond of Rupees Fifty Thousand with one solvent surety in the like amount;
- iii) The applicant shall attend Khed Police Station, District Pune, on 1st and 16th day of every month, till conclusion of trial;
- iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- v) Liberty is granted to the State for cancellation of bail if the applicant commits similar offence;

vi) The applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.

(ANIL S.KILOR, J.)

MST