

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.885 OF 2024

Gulab Amarsingh Chavan @ Pintu ... Applicant
Chavan

V/s.

State of Maharashtra ... Respondent

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Mr. Kuldeep Patil I.by Ms. Saili Dhuru,for the applicant.

Mr. Shreeram Chaudhari, APP, for the Respondent / State.

API, Milind Phadtare, Kharghar Police Station, Navi Mumbai.

CORAM : ANIL S. KILOR, J.

DATE : 2ND SEPTEMBER, 2024.

PC:

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.283 of 2023, registered with Kharghar Police Station, Navi Mumbai for the offences punishable under Sections 302, 367, 342, 324, 323, 504, 506 r/w. 34 of the Indian Penal Code.

3. Having gone through the charge-sheet and the material collected by the IO, more particularly the statement of injured Anil Nagurao Jadhav who was with the deceased, it is evident that the role

of the applicant is restricted to the extent that he disclosed the identity of the deceased to the co-accused. However, as far as the assault is concerned, it was by the co-accused and in the said statement of eye-witness there is no role attributed to the applicant except the one stated herein above.

4. Thus, considering the above narration of the eye-witness Anil Jadhav and further the fact that the charge-sheet has been filed, I am of the opinion that the further custody of the applicant is not necessary.

5. In that view of the matter, though the learned APP is strongly opposing the application, the application is allowed.

ORDER

- (i) Criminal Bail Application is allowed and disposed of;
- (ii) It is directed that the applicant shall be released on bail in Crime No.283 of 2023, registered with Kharghar Police Station, Navi Mumbai for the offences punishable under Sections 302, 367, 342, 324, 323, 504, 506 r/w. 34 of the Indian Penal Code, on furnishing P.R.Bond of Rupees Twenty-five Thousand with one solvent surety in the like amount;
- iii) The applicant shall attend on 1st day of every month

between 10.00a.m. to 11.00 a.m., till the conclusion of the trial except on the date 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;

iv) Liberty is granted to the State for cancellation of bail if the applicant commits similar offence;

v) 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)