

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

CRIMINAL BAIL APPLICATION NO. 1210 OF 2024

Kishor @ Raj Sambhaji Patil

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr.Nitin Gaware Patil with Mr. Shantanu Kolhe, Advocate for Applicant.

Mrs. Veera Shinde, APP for State-Respondent.

Mr. S. S. Kadam, API, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 29th AUGUST, 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. 482 of 2023 registered with Dehu Road Police Station, Pimpri Chinchwad for the offences punishable under Sections 307, 143, 147, 504 and 506 of the Indian Penal Code, 1860 and Sections 3(1)(ii) and 3(4) of Maharashtra Control of Organised Crime Act, 1999.

3) There is only one antecedents against the applicant which was under Section 420 of IPC and not of a similar to present one. If the allegations in the present matter are considered, the allegations against the applicant are that he assaulted the victim by fist and blows. There is a CCTV footage, however, there is no evidence to show that he is a member of the syndicate and further prima facie, considering the injuries, it is doubtful whether Section 307 of IPC would apply.

4) In the circumstances, there is no evidence to show that the applicant is a member of the syndicate and further considering his role, I am of the opinion that since the charge-sheet has been filed and the applicant is in jail from last one year, further custody of the applicant is not necessary.

5) As far as the apprehension expressed by the learned APP while opposing the application that if the applicant is released on bail, he may commit similar offence, I am of the opinion that there is nothing to suggest any possibility that the applicant would commit similar offence, if he is released on bail. Hence, I pass the following order.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No. 482 of 2023 registered with Dehu Road Police Station, Pimpri Chinchwad for the offences punishable under Sections 307, 143, 147, 504 and 506 of the Indian Penal Code, 1860 and Sections 3(1)(ii) and 3(4) of Maharashtra Control of Organised Crime Act, 1999, on furnishing P.R. Bond of

Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;

iii The applicant shall not enter into the territorial jurisdiction of Dehu Road Police Station till the conclusion of the trial except on the date of trial;

iv. The applicant shall provide his address and name of the nearby police station to the I.O, which he shall attend the said Police Station on 1st day of every month between 12.00 noon to 2.00 p.m., till the conclusion of the trial except on the date of trial;

v. 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;

vi. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;

vii. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.

viii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]