

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

CRIMINAL BAIL APPLICATION NO. 2165 OF 2024

Pratap Vasant Kshirsagar ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Amit Icham with Mr. Chaitanya P and Mr. Nilesh Waghmode,
Advocate for Applicant.

Mrs. G. P. Mulekar, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 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.134 of 2023 registered with Supa Police Station, Pune, for an offence punishable under Sections 302, 307, 452, 363, 342, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code, 1860 and Sections 39 and 45 of the Maharashtra Money Lending (Regulation) Act, 2014.

3) Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, it is evident that as per the prosecution story, the co-accused Pragati Hajgude, Jidnyasa Naikwadi and Vaishali Bhosale pored petrol on the body of the deceased and set him on fire.

4) As far as the applicant is concerned, it is stated that he was present at the time of the incident.

5) Further considering the fact that the accused did not have any weapon with them while going to the house of the deceased or petrol which was pored. It is the prosecution story that the petrol was available in the kitchen and the bottle containing the petrol was taken by the above-referred three co-accused and after poring it on the deceased he was set on fire. There is nothing on record to show that there was any intention of the applicant to eliminate the deceased or the offence was pre-meditated.

6) In the circumstances though the learned APP is strongly opposing the application, circumstances, considering the nature of the allegations against the applicant and the evidence collected, I am of the opinion that in view of the above-referred observations, the applicant is entitled for grant of 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.134 of 2023 registered with Supa Police Station, Pune, for an offence punishable under Sections 302, 307, 452, 363, 342, 143, 147, 148, 149, 504 and 506 of the Indian Penal

Code, 1860 and Sections 39 and 45 of the Maharashtra Money Lending (Regulation) Act, 2014, 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 Supa 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.]