

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.2226 OF 2024

Santosh @ Dadya Sanjay ... Applicant
Tupsoundrya

V/s.

The State of Maharashtra ... Respondent

Mr. Satyavrat Joshi I.by Mr. Yash Fadtare, for the applicant.

Ms. Veera Shinde, APP, for the Respondent/State.

PSI, Vaibhav Patil, Kavthemahankal Police Station, Present.

Digitally
signed by
VARSHA
DEEPAK
GAIKWAD
Date:
2024.08.12
19:02:52
+0530

CORAM : ANIL S. KILOR, J.

DATE : 12TH 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.88 of 2023, registered with Kavthemahankal Police Station, Sangli, for the offences punishable under Sections 302, 504 r/w 34 of the Indian Penal Code.
3. Having gone through the charge-sheet and the material collected by the IO during the investigation, it is evident that for a pity reason the quarrel took place between the accused and the deceased and there was exchanged of hot words between both the parties who were unknown to each other. During this quarrel the juvenile brought the

knife from the auto rickshaw and handed over it to the applicant who inflicted a single blow to the deceased and the deceased died because of the same on the same day. The Post mortem report shows one stab injury.

4. From the above referred facts, it is further evident that the commission of offence was not premeditated and it took place in a spur of moment and out of fit of anger.

5. In the present matter, the charge-sheet has been filed and there are no antecedents against the applicant. Moreover, the applicant is in jail from last one and half years.

6. Thus, considering the nature of allegations against the applicant and the fact that the charge-sheet has been filed, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order:

ORDER

(i) Criminal Bail Application is allowed;

(ii) It is directed that the applicant shall be released on bail in in Crime No.88 of 2023, registered with Kavthemahankal Police Station, Sangli, for the offences punishable under Sections 302, 504 r/w 34 of the Indian Penal Code, on furnishing P.R.Bond of Rupees Fifty Thousand with one solvent surety in the like amount;

iii) The applicant shall not enter into the territorial

jurisdiction of the Kavthemahankal Police Station, Sangli, till the conclusion of the trial;

iv) The applicant shall provide his address and name of the nearby police station to the IO, which he shall attend the said Police Station on 1st and 16th 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;

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 for cancellation of bail in case of any breach of condition if the applicant commenced similar offence;

vii) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

7. The application is disposed of.

(ANIL S. KILOR, J)