

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.2455 OF 2024

Bhaktising Deepaksing Dudhani ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Debajyoti Talukdar, for the applicant.

Ms. Priyanka Rane, APP, for the Respondent / State.

CORAM : ANIL S. KILOR, J.

DATE : 26th SEPTEMBER, 2024.

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PC:

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.188 of 2022, registered with Swargate Police Station, Pune for the offences punishable under Sections 307, 427, 504, 506 read with 34 of the Indian Penal Code, Sections 7 and 8 of the Criminal Amendment Act and Section 4/25 of the Arms Act and Section 37(1) (3)r/w 135 of the Maharashtra Police Act.

3. This Court granted bail to the co-accused Shaktisingh Dudhani. The role of Shaktisingh Dudhani and the applicant is similar except the fact as regards the weapon used by both the accused.

4. The applicant is in jail from last more than two years and on completion of the investigation the charge-sheet has been filed. Moreover, there is likelihood of completion of trial in near future.

5. The learned APP is strongly opposing the application on the ground of antecedents and submits that if the applicant is released on bail, there is every likelihood that he may commit the similar offence. Thereupon, the learned counsel for the applicant, on instructions, makes a statement that the applicant is ready to abide by any condition including the condition that the applicant will not enter the territorial jurisdiction of Pune City, till the conclusion of the trial.

6. In the circumstance, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in Crime No.188 of 2022, registered with Swargate Police Station, Pune for the offences punishable under Sections 307, 427, 504, 506 read with 34 of the Indian Penal Code, Sections 7 and 8 of the Criminal Amendment Act and Section 4/25 of the Arms Act and Section 37(1) (3)r/w 135 of the Maharashtra Police Act, on furnishing PR.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;

- iii) The applicant shall not enter into the territorial jurisdiction of Pune City, 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)