

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL BAIL APPLICATION NO.2515 OF 2024**

Bibhishan @ Pintu Vishwanath                      ...                      Applicant  
Waghmode

V/s.

The State of Maharashtra                      ...                      Respondent

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Mr. Sanjeev Kadam a/w Sohda Mujawar I.by Ramdas Hake Patil, for the applicant.

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

Mr. Pandurang Pawar, PSI, Akkalkot Uttar Police Station, Present.

**CORAM : ANIL S. KILOR, J.**

**DATE : 26<sup>th</sup> 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.449 of 2018, registered with Akkalkot North Police Station, Solapur for the offences punishable under Sections 364(A), 365, 341 r/w 34 of the Indian Penal Code.

3.                      The FIR was registered on 20.10.2018 and accordingly, the applicant surrendered on 12.04.2024, after getting the knowledge about the registration of the present offence. Whereas, it is the case of the prosecution that he was arrested and before arrest he was

absconding. However, the learned counsel for the applicant has pointed out that he contested the election of Grampanchayat of Anjangaon, Taluka-Mhada, District-Solapur.

4. All the co-accused have been released on bail and considering the fact that the applicant was all the time available at his residential address and contested the election. Hence, it cannot be said that he was absconding. Therefore, on the said ground, the bail cannot be denied.

5. Furthermore, as the other co-accused have been released on bail, and on parity, the role of the applicant is similar, the applicant is entitled for grant of bail. Accordingly, 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.449 of 2018, registered with Akkalkot North Police Station, Solapur for the offences punishable under Sections 364(A), 365, 341 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 the said Police Station on 1st day of each 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 if the applicant commits 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.

6. The application is disposed of .

(ANIL S. KILOR, J)