

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

**CRIMINAL BAIL APPLICATION NO. 2594 OF 2024
WITH
INTERIM APPLICATION NO. 2716 OF 2024**

Zambaru Dayaram Choudhari ...Applicant

Vs.

The State of Maharashtra and Others ...Respondents

Mr. Shravan K. Giri, Advocate for Applicant in BA.
Mr. Himanshu s. Gavit, Advocate for Applicant in IA.
Mr. S. S. Chaudhari, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 3rd 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.60 of 2024 registered with Surgana Police Station, Nashik, for the offence punishable under Section 307 of the Indian Penal Code, 1860.
- 3) There is a delay of three days in lodging the report. Out of three injuries caused to the victim, two are simple and one is grievous. No probable explanation is offered for not lodging the report immediately.

4) Considering the relevant material collected by the Investigating Officer during the investigation as well as the allegations against the applicant, I am of the opinion that since the charge-sheet has been filed, further custody of the applicant is not required.

5) As far as the antecedents are concerned, and the apprehension expressed by the learned APP that if the applicant is released on bail, he may pressurize the witnesses and tamper with the prosecution evidence is concerned, the same can be addressed by putting certain stringent conditions.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No.60 of 2024 registered with Surgana Police Station, Nashik, for the offence punishable under Section 307 of the Indian Penal Code, 1860, on furnishing PR. 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 Surgana 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.]