

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2786 OF 2024

Vikram Bhimrao Gaikwad & Oth. ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr Ramnik P. Pawar a/w Samiksha Pawar, Dhanashree Jagdale, Shivtej Takalkar, Trupti Jambulekar, Samadhan Mahamulkar, Advocates for Applicant

Mr Shreeram S. Chaudhari, APP for the State.

PSI Rajiv Maruti Kendre, PS Atpadi, Sangli.

CORAM : ANIL S. KILOR, J.

DATED : OCTOBER 18, 2024.

PC:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicants are seeking bail in Crime No.264 of 2024, registered with Vita Police Station, District: Sangli for the offences punishable under Sections 143, 147, 148, 149, 307, 326, 324, 504 of the Indian Penal Code, 1860 and Section 135 of the Maharashtra Police Act, 1951.
3. Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during investigation, it is

evident that the complaint was filed belatedly i.e. after three days, however, no explanation is provided for such delay. The Injury Certificate issued on the same day i.e. on 01/06/2024 shows that all the injuries are of simple nature. However, the medical examination conducted after a gap of two days i.e. on 04/06/2024 some grievous injuries were noted, for this also there is no explanation available that how the simple injuries became grievous one and some additional injuries viz. a fracture was seen.

4. Moreover, there are counter FIRs. Both the groups are blaming each other as aggressor.
5. In the above referred backdrop, considering the fact that the charge-sheet has been filed after completion of the investigation, I am of the opinion that further custody of the applicants is not necessary.
6. In the circumstances, though the learned APP is strongly opposing the present application, I am of the opinion that the applicants are entitled for grant of bail.
7. Accordingly, I pass the following order:
 - i) The Criminal Application is allowed.
 - ii) It is directed that the applicants shall be released on bail in connection with Crime No.264 of 2024, registered with Vita Police Station, District: Sangli for the offences punishable under Sections 143, 147, 148, 149, 307, 326,

324, 504 of the Indian Penal Code, 1860 and Section 135 of the Maharashtra Police Act, 1951, on furnishing P.R.Bond in the sum of Rupees Twenty Five Thousand each with one solvent surety in the like amount for each of the applicant;

- iii) The applicants shall attend the concerned Police Station on the first day of each month between 10:00 am and 11:00 am, till conclusion of the trial, except on the date of the trial.
- iv) The applicants 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;
- v) Liberty is granted to the State to apply for cancellation of bail if the applicants commit similar offence or breach any condition for grant of bail.
- vi) The applicants shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

The Criminal Application is **disposed of** accordingly.

(ANIL S. KILOR, J)