

CRIMINAL BAIL APPLICATION NO. 2834 OF 2024

V/s.

The State of Maharashtra ... Respondent.

Shri S.S.Chaudhari, APP for the State.

DATED : OCTOBER 08, 2024.

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.303 of 2023, registered with Shivajinagar Police Station, District: Kolhapur for the offences punishable under Sections 307, 326, 323, 504, 506, 201, 143, 147, 148, 149 of the Indian Penal Code.

3. This Court granted bail to co-accused Sachin Patil. The role of the said co-accused and the applicant is similar. However, the

weapons allegedly used by both the accused are different and as per the counsel for the applicant there are no antecedents against the applicant. It is alleged that the applicant assaulted the victim by iron rod and there are certain discrepancies in the statement as far as the weapon used by the applicant is concerned.

4. In the circumstances, since the charge-sheet has been filed and further considering the period of incarceration of the applicant, I am of the opinion that on the ground of parity as well as on merit, the applicant is entitled for bail.
5. At this stage, the learned APP submits that if the applicant is released on bail he may commit similar offence. The learned counsel for the applicant in reply, on instructions, makes a statement that the applicant is ready to abide by any condition including the condition of not entering into Kolhapur city.
6. Accordingly, I pass the following order:
 - i) The Criminal Application is allowed.
 - ii) It is directed that the applicant shall be released on bail in connection with Crime No.303 of 2023, registered with Shivajinagar Police Station, District: Kolhapur for the offences punishable under Sections 307, 326, 323, 504, 506, 201, 143, 147, 148, 149 of the Indian Penal Code, on furnishing P.R.Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount;

- iii) The applicant shall not enter the territorial jurisdiction of Kolhapur City till conclusion of the trial, except for attending the trial.
- iv) The applicant shall provide his address and name of the nearby Police Station, to the IO, which he shall attend on first and sixteenth day of every month between 10:00 a.m. and 11:00 a.m., till conclusion of the 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 for cancellation of bail if the applicant commits similar offence or breaches any condition for grant of bail.
- vii) The applicant 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)