

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

CRIMINAL BAIL APPLICATION NO. 2847 OF 2024

Sandeep Namdev Kalambe

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Niranjan Mundargi i/b Veerdhawal Deshmukh, Advocate for Applicant.

Mr. S. M. Mangaonkar, APP for State-Respondent.

Mr. S.K. Munde, PSI, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 18th 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. 62 of 2016 registered with Mahad M.I.D.C. Police Station, Raigad for the offences punishable under Sections 304-A, 279, 337 of the Indian Penal Code, 1860 and Sections 184 and 189 of Motor Vehicle Act, 1988 and subsequently altered to Section 302, 201, 203 and 506, 114 read with Section 34 of the Indian Penal Code, 1860.

3) Initially on 8th August, 2016, crime was registered under Sections 304-A, 279 and 337 of the Indian Penal Code, 1860 and Sections 184 and

189 of the Motor Vehicle Act, 1988 against the unknown persons. Thereafter, after laps of six years period, Sections 302, 201, 203, 506 and 114 read with Section 34 of IPC came to be added, and the applicant and the co-accused were impleaded as accused. It is the case of the prosecution that out of the illicit relations of the co-accused and the applicant, the deceased was murdered.

4) The statements of the witnesses, including the witnesses to whom allegedly the applicant has given extrajudicial confession, were recorded after six years of the incident.

5) Thus, considering the nature of allegations against the applicant and the nature of evidence collected by the Investigating Officer during the investigation, I am of the opinion that since the investigation is completed and the charge-sheet has been filed, though the offence is serious, the applicant is entitled for grant of bail. Hence, I pass the following order.

ORDER

- (i) Bail Application is allowed and disposed off;
- (ii) It is directed that the applicant shall be released on bail in Crime No. 62 of 2016 registered with Mahad M.I.D.C. Police Station, Raigad for the offences punishable under Sections 304-A, 279, 337 of the Indian Penal Code, 1860 and Sections 184 and 189 of Motor Vehicle Act, 1988 and subsequently altered to Section 302, 201, 203 and 506, 114 read with Section 34 of the Indian Penal Code, 1860, on furnishing P.R.Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;

(iii) The Applicant shall not enter into territorial jurisdiction of Mahad M.I.D.C. Police Station, Raigad till conclusion of trial, except on the date of trial;

(iv) The Applicant shall provide his address and name of nearby Police Station to the Investigating Officer and attend said Police Station on 1st and 16th day of every month between 12.00 noon and 2.00 pm till conclusion of 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 for cancellation of bail in case Applicant breaches any of the conditions and/or 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.

In view of the disposal of Criminal Bail Application, the Interim Application also stands disposed of.

(ANIL S.KILOR, J.)