

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

CRIMINAL BAIL APPLICATION NO. 2914 OF 2024

Rutik @ Dadya Arun Tambe

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Aniket Nikam with Amit Icham, Shreya A. with Dushyant Dighambar with Pratik Jadhav with Sumit Patil, Advocate for Applicant.

Mr. P. P. Deokar, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 5th 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.138 of 2024, registered with Chakan Police Station, Pune, for the offence punishable under Sections 302, 201 and 120-B read with Section 34 of the Indian Penal Code, 1860.

3) The allegations against the applicant are that he had given a contract to the co-accused to eliminate the deceased for the reason that the deceased had committed the murder of the maternal uncle of the

applicant. Though it has come on record that the deceased committed the murder of the maternal uncle of the applicant. However, there is no evidence to show that a contract was given by the applicant for the killing of the deceased.

4) In the circumstances, though the offence is very serious as there is no direct evidence against the applicant to indicate that the murder of the deceased was committed at the instance of the applicant, I am of the opinion that since the charge-sheet has been filed, further custody of the applicant is not necessary. Hence, I pass the following order.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No.138 of 2024, registered with Chakan Police Station, Pune, for the offence punishable under Sections 302, 201 and 120-B read with Section 34 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 Chakan 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 and 16th day of every month between 10.00 am, to 11.00 am, 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.]