

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

CRIMINAL BAIL APPLICATION NO. 3231 OF 2024

Dashrath Kisan Gurav

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Chetan Damre, Advocate for Applicant.

Ms. Poonam P. Bhosale, APP for State.

CORAM:- ANIL S. KILOR, J.

DATED:- 18th OCTOBER, 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 101 of 2022 registered with Harsul Police Station, Nashik for the offences punishable under Sections 302, 504 and 506 of the Indian Penal Code, 1860.
- 3) Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, it is evident that prima facie there was no intention of the applicant to kill his grand mother. There is no doubt that it has come in the statements of

parents of the applicant that he expressed that he does not like the deceased for certain reasons. However, from the injuries also it cannot be gathered that there was any intention to kill the deceased.

4) In the above referred backdrop, if it is considered that the charge-sheet is filed and the applicant is in jail for more than two years and there is no progress in trial, I am of the opinion that further custody of the applicant is not necessary.

5) Though, in the circumstances, the learned APP has strongly opposed the bail application, 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 101 of 2022 registered with Harsul Police Station, Nashik for the offences punishable under Sections 302, 504 and 506 of the Indian Penal Code, 1860, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;
- iii The applicant shall attend the said Police Station every Saturday between 10.00 am to 11.00 am, till the conclusion of the trial except on the date of trial;
- iv. 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;

- v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;
- vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]