

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

CRIMINAL BAIL APPLICATION NO. 3232 OF 2024

Pundlik Narayan Raut

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Savvy Kolhekar i/b Mr. Aniket Vagal, Advocate for Applicant.

Ms. Veera Shinde, APP for State-Respondent.

Mr. Mohit V. More, PSI Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 1st 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. 57 of 2022 registered with Harsul Police Station, Nashik, for the offences punishable under Sections 302, 324, 323, 341, 427, 404 and 506 read with Section 34 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 the story narrated by the applicant is totally different from the incident narrated by the eye witness Kaushalya Raut, the wife of the present applicant. This Court released accused No. 2 on bail on 18th

July, 2023. However, the applicant's application was rejected on the grounds that he was named in the FIR. The discrepancies in the prosecution case and the incident narrated by the eye witness were not argued or pointed out to this Court, while arguing the first application.

4) In the above-referenced backdrop, considering the fact that the charge-sheet has been filed and the applicant is in jail from last more than two years, I am of the opinion that further custody of the applicant is not required. Though the learned APP is strongly opposed the application, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, 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. 57 of 2022 registered with Harsul Police Station, Nashik, for the offences punishable under Sections 302, 324, 323, 341, 427, 404 and 506 read with Section 34 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 not enter into the territorial jurisdiction of Harsul Police Station, Nashik 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 day of every month between 12.00 noon to

2.00 p.m., 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.]