

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3257 OF 2024

Dayanand Ashok Salve ... Applicant

vs.

State of Maharashtra ... Respondent

Mr. Rajesh More, Advocate for Applicant.

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

CORAM:- ANIL S. KILOR, J.

DATED:- 3rd OCTOBER 2024

PC:-

1) By this application under Section 439 of the Code of Criminal Procedure the Applicant is seeking bail in Crime No.1853/2020 registered with Yerwada Police Station, Dist. Pune City for the offences punishable under Sections 302, 324 read with Section 34 of the Indian Penal Code, 1860.

2) Having gone through the charge-sheet and the relevant material collected by the Investigating Officer, it is evident that the Applicant is not the author of the injuries caused to the deceased, but co-accused Akash and Umar are the author of the said injuries.

3) In the above referred backdrop, considering the fact that the Applicant is in jail from last more than four years, and there are no antecedents against the Applicant, I am of the opinion that further custody of the Applicant is not necessary. Furthermore, it is evident that *prima-facie* there was no intention of the Applicant to eliminate the deceased.

4) 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.1853/2020 registered with Yerwada Police Station, Dist. Pune City for the offences punishable under Sections 302, 324 read with Section 34 of the Indian Penal Code, 1860 P.R. Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- iii. The Applicant shall attend Yerwada Police Station on 1st and 16th day of every month between 10:00 a.m. to 11:00 a.m. till conclusion of 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 for 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.

[ANIL S. KILOR, J.]