

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

Bail Application No.3331 of 2024

Vikas Sitaram Shinde ... Applicant.
V/s.
The State of Maharashtra ... Respondents.

Ms. Asha Joshi a/w. Mr. Abhijeet Yadav a/w. Ritesh Singh	Advocate for the Applicant.
Ms. A.S. Gawai,	APP for Respondent No.1.

CORAM : S.M. MODAK, J

DATE : 12 December 2024.

P.C. :

Heard learned Advocate for the applicant and the learned APP.

2. It is true that earlier Bail Application No.3608/2022 was withdrawn on 8 August 2023 because this Court was not inclined to grant him bail. Liberty was granted to apply for bail if there is no progress in the trial for one year. It is submitted that today also charges are not framed.

3. The grounds which are agitated today i.e. lacuna in the investigation, certificate is not of Government hospital but of private hospital and seizure of knife is doubtful, cannot be considered because Court was not inclined to grant him bail on those grounds on 8 August 2023. Today I am inclined to grant him bail only for the

reason that the charges are not framed and he is behind bar since 13 December 2021. Subject to conditions, he can be granted bail. Hence, the following order is passed:-

ORDER

- (i) The Application is allowed.
 - (ii) Applicant - Vikas Sitaram Shinde be released on bail in connection with C.R. No.428/2021 registered with Bazarpeth Police Station – Thane City for the offences punishable under Sections 307,323,143,148,149 of IPC and under Sections 37(1) and 135 of Maharashtra Police Act, on furnishing personal bond and surety bond of Rs.25,000/-.
 - (iii) The applicant not to enter city of Kalyan till the time the evidence of eye witnesses is recorded except for attending the Court date of the present case.
 - (iv) The applicant to furnish alternate place of residence to the police station and the Court.
 - (v) The applicant not to threaten the prosecution witnesses.
 - (vi) In case of breach of any of the conditions, the bail of the applicant is liable to be cancelled after notice.
4. Bail Application stands disposed of in the aforesaid terms.

(S.M. MODAK, J.)