

IN THE HIGH COURT OF JUDICATURE AT BOMBAYCRIMINAL APPELLATE JURISDICTIONCRIMINAL BAIL APPLICATION NO. 3337 OF 2024

Nilesh Vitthal Yadav ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr Piyush Toshnival i/b Ashish Pawar, Advocate for Applicant

Mr Sameer M. Mangaonkar, APP for the State.

PSI Y.A. Jadhav, Paud Police Station.

CORAM : ANIL S. KILOR, J.

DATED : OCTOBER 16, 2024.

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PC:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.643 of 2023, registered with Paud Police Station, District: Pune for the offences punishable under Sections 307, 326, 324, 323, 341, 452, 427, 504, 506, 143, 147, 148, 149 of the Indian Penal Code and Sections 4/25 of the Indian Arms Act and Sections 3 and 7 of the Criminal Law Amendment Act, 2013.
3. Having gone through the charge-sheet and the material collected by the Investigating Officer during investigation, it is evident that the applicant was not named in the FIR. However, there was a

mention of unknown persons. Furthermore, the applicant was seen in the CCTV footage along with the other accused.

4. In the above referred circumstances, on perusing the Injury Certificate it appears that the injuries caused to the injured were of simple nature.
5. In the circumstances, considering the period of incarceration of the applicant i.e. about 10 months and the fact that the charge-sheet has been filed, I am of the opinion that the applicant is entitled for grant of bail.
6. At this stage, the learned APP strongly opposed the application. He submits that if the applicant is released on bail he may pressurize the prosecution witnesses or tamper with the prosecution evidence. Thereupon, the learned counsel for the applicant, on instructions, makes a statement that the applicant is ready to abide by any condition, including not to enter into the territorial jurisdiction of Pune District.
7. In that view of the matter, I pass the following order:
 - i) The Criminal Application is allowed.
 - ii) It is directed that the applicant shall be released on bail in connection with Crime No.643 of 2023, registered with Paud Police Station, District: Pune for the offences punishable under Sections 307, 326, 324, 323, 341, 452, 427, 504, 506, 143, 147, 148, 149 of the Indian Penal Code and Sections 4/25 of the Indian Arms Act and Sections 3

and 7 of the Criminal Law Amendment Act, on furnishing P.R.Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount;

- iii) The applicant shall not enter the territorial jurisdiction of Pune district till conclusion of the trial, except for attending the trial.
- iv) The applicant shall provide his address and name of the nearby Police Station to the I.O., which he shall attend on first day of every month between 10:00 a.m. and 11:00 a.m., till conclusion of the 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 for cancellation of bail if the applicant commits similar offence or breaches any condition for grant of bail.
- vii) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

The Criminal Application is **disposed of** accordingly.

(ANIL S. KILOR, J)