

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3555 OF 2024

Samir Farukh Mujawar and another

Applicants

versus

The State of Maharashtra

Respondent

Mr.Kedar J.Patil with MrPratik G.Tare and Sakshi S.Kadam, Advocate  
for Applicants.

Mr.S.S.Chaudhari, APP for State.

Mr.Patharwat, I.O., Ichalkarangi Police Station, present.

CORAM : ANIL S.KILOR, J.

DATE : 24<sup>th</sup> 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.204 of 2024 registered with Ichalkarangi Police Station, District Kolhapur, for the offences punishable under Sections 326, 504, 143, 147 of the Indian Penal Code.

3. Having gone through the charge sheet and relevant material collected by the Investigating Officer during investigation it is evident from the statement of the victim that initially the Applicant along with co-accused Mainuddin and Muzammil assaulted the victim by sticks. Thereafter the victim ran away from the said spot and hid near Sikandar Dargah where accused approached. Then the main accused Junaid gave blow on his head by a stone tile. Because

of the said blow on head the victim got grievously hurt. However, considering the role of the Applicant and even taking the statement of the victim on its face value which alleges the role of the Applicant related only to the extent of first instance. In the above referred backdrop, as the charge sheet is filed and Applicant is in jail from last five months, I am of the opinion that further custody of the Applicant is not required. In the circumstances, though learned APP has strongly opposed the application, I pass 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.204 of 2024 registered with Iahalkarangi Police Station, District Kolhapur, for the offences punishable under Sections 326, 504, 143, 147 of the Indian Penal Code on furnishing P.R.Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- (iii) The Applicant shall attend Ichalkarangi Police Station, District Kolhapur, on every 1<sup>st</sup> and 16<sup>th</sup> of every month between 10.00 a.m and 11.00 a.m till conclusion 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 breaches any condition or misuses the liberty or 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.)

MST