

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

CRIMINAL BAIL APPLICATION NO. 4210 OF 2024

Balaram Babu Patil

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Gaurav Parkar with Mr. Shantanu Kadam with A. Jagtap and Mr. Raj Patil, Advocate for Applicant.

Mrs. Veera Shinde, APP for State-Respondent.

Mr. Datta Nangare, PSI, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 22nd NOVEMBER, 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. 360 of 2021 registered with Taloja Police Station, Raigad, for the offences punishable under Sections 302, 323, 324, 504 and 506 read with Section 34 of the Indian Penal Code, 1860.
- 3) The allegations against the applicant who is 72 years old, is that he brought the weapon which was used in the alleged offence. However, there are certain discrepancies about the said story of prosecution, which can be seen from the statements of witnesses. Be that it may be,

the applicant is in jail from last four years and there is no progress in trial. Moreover, the medical reports of the applicant shows that his medical condition is not good.

4) In the circumstances, considering the period of incarceration, his age and further the fact that there are 32 witnesses and there is unlikelihood that the trial will be concluded in near future, I am of the opinion that the applicant is entitled for grant bail.

5) However, while opposing the bail application, the learned APP has pointed out that the victim's family is closely related with the applicant and there is every likelihood that the applicant may pressurize them, if the applicant is released on bail.

6) Thereupon, the learned Counsel for the applicant makes a statement, on instructions that the applicant is ready to abide by any condition including the condition that the applicant will not enter into the territorial jurisdiction of Police Station Taloja, District Raigad till the conclusion of trial except for attending trial.

7) In that view of the matter, 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. 360 of 2021 registered with Taloja Police Station, Raigad, for the offences punishable under Sections 302, 323, 324, 504 and 506 read with Section 34 of the Indian Penal Code, 1860, on furnishing PR. 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 Taloja Police Station, Raigad 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 10.00 to 11.00 am, 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.]