

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

CRIMINAL BAIL APPLICATION NO. 2788 OF 2024

Ganesh Vishnu Adagale @ Sundri Ganya ...Applicant

VERSUS

The State of Maharashtra ...Respondent

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Mr. Nagesh Khedkar a/w Mr.Prithviraj Deshmukh a/w
Mr.Shubham Sane, a/w Mr.Rohan Hogle, Advocate for the
Applicant.

Mr. T. G. Khan, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 04.04.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 195 of 2023 registered at Khadki Police Station, Dist-Pune for the offences punishable under Sections 307, 323, 504, 506 r/w 34 of the Indian Penal Code, under Section 4(25) of the Arms Act, under Section 37(1) r/w Section 135 of the Maharashtra Police Act and under Section 7 of the Criminal Law Amendment Act.
3. According to the prosecution, on the date of incident, which took place on 30.06.2023, on some trivial issue dispute arose between the applicant and the complainant and during the said dispute the present applicant

assaulted the complainant by koyta and attempted to commit his murder.

4 I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that though according to the prosecution the complainant was assaulted by koyta, however, there is no injury certificate in the charge-sheet to show that the applicant had sustained any injury. It is submitted that the applicant is in jail for one year and ten months and the trial has not commenced.

6. On the other hand, the learned APP for the respondent/State submits that the applicant is involved in 12 more crimes of serious nature. It is submitted that considering the said fact and the nature of present offence the applicant may not be released on bail.

7. I have perused the statement of the complainant. *Prima-facie*, the incident does not appear to be premeditated. The applicant is in jail one year and ten months and the trial has not commenced. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in

Crime No. 195 of 2023 registered at Khadki Police Station, Dist-Pune for the offences punishable under Sections 307, 323, 504, 506 r/w 34 of the Indian Penal Code, under Section 4(25) of the Arms Act, under Section 37(1) r/w Section 135 of the Maharashtra Police Act and under Section 7 of the Criminal Law Amendment Act on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not enter into the corporation limits of Pune and Pimpri Chinchwad, till conclusion of the trial, except to attend the dates before the trial Court.

D] The applicant shall attend the police station within whose jurisdiction he is going to reside after his release once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

E] The applicant shall not commit any other crime.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)