

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3371 OF 2024

Nilesh B. Kumavat ...Applicant
V/s.
The State of Maharashtra ...Respondent.

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Mr. Amit Pradhan for the Applicant.
Mrs. Gauri S. Rao, APP for the Respondent/State.
PSI Prabhakar R. Sonawane, Upnagar Police Station, Nashik is present.

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CORAM : N.R. BORKAR, J.
DATE : 08.04.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.202 of 2023 registered at Upnagar Police Station, Nashik city for the offences punishable under Sections 307, 509, 504, 323 read with 34 of the Indian Penal Code.
3. According to the prosecution, on the date of incident, which took place on 18.5.2023, on some trivial issue dispute arose between the complainant and his family members on one side and the present applicant and other co-accused on other side. It is alleged that during the said dispute, the present applicant and other co-accused assaulted the complainant and his family member so also witness Hiritik More by some sharp weapons and attempted to commit their murder.

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

5. Learned counsel for the applicant submits that the injury certificates of the injured would show that they had sustained simple injuries. It is submitted that false allegations are made just to implicate the applicant in serious offence. The learned counsel for the applicant submits that the applicant is in jail for 1 year and 10 months and the trial has not commenced.

6. On the other hand, learned APP for the respondent/State submits that there are in all three injured. It is submitted that the applicant is involved in six more crimes. It is thus submitted that the applicant may not be released on bail.

7. I have perused the injury certificates. The injuries are simple in nature. The applicant is in jail for 1 year and 10 months and the trial has not commenced. Considering the overall facts and circumstances, I am inclined to release the applicant on bail on certain conditions. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 202 of 2023 registered at Upnagar Police Station, Nashik city for the offences punishable under Sections 307, 509, 504, 323

read with 34 of the Indian Penal Code 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 limits of District Nashik except to attend the dates before the trial Court till conclusion of the trial.

[N.R.BORKAR, J.]