

Prasad Rajput
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3725 OF 2024

Shantaji Pandurang Shinde

.. Applicant

Versus

The State Of Maharashtra

.. Respondent

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- Mr. Manav a/w. Mr. Sachinkumar Rajepandhare for Applicant.
- Mr. Balraj B. Kulkarni, APP for the State.
- Mr. Ganesh Wadne, PSI, Narpoli Police Station, Bhivandi.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 06, 2025

P.C.:

1. Heard Mr. Manav, learned Advocate for the Applicant and Mr. Kulkarni, learned APP for the State.

2. The present Applicant seeks grant of regular bail. He is arrested in Crime No. 954 of 2023 registered with Narpoli Police Station, Thane. He is arrayed as Accused No.2 along with Accused No.1 his elder brother called Papya Shinde and Accused No.3 Ramesh Shetty and Accused No. 4 Khali. His entire nomenclature for identification purposes in the crime which is reported is given as brother of Papya Shinde i.e. Accused No.1. Date of incident is 29.11.2023, when the injured first informant Rajkumar Shyamnarayan Singh along with second injured person Arun Mahendra Mishra were

chatting in one of the buildings situated near Ramkrushna Recidency, Balkum Thane when at around 08.00 pm according to the first informant accused came to meet them over there. At that time due to happening of a precursor incident about Accused No.1 having troubled the sister-in-law of a friend of the first informant-complainant regarding disposal of an open plot of land in Thane area belonging to her, accused were enraged and angry when they confronted the complainant leading to the incident. It is stated by the first informant that Accused No.1 inflicted three blows on the first informant and also injured his friend Arun Mishra in the process. However, insofar as role of the present Appilcant Accused No.2 is concerned, the first informant has not attributed any specific direct role to the Applicant. Insofar as Applicant's role is concerned, he has inflicted three blows with a knife on Arun Mishra, friend of the first informant Radheshyam. My attention is drawn by the learned Adovate for the Applicant to page 108 and 110 which are the injury certificates of Arun Mishra and Rajkumar Singh respectively. It is seen that injuries inflicted on Arun Mishra are simple injuries casued by a hard object i.e. knife, which Mr. Kulkarni, learned APP informs the Court has been recovered. Insofar as the injury inflicted on first informant - Rajkumar Sing is concerned, they are grievous injuries inflicted by the Accused No.1 viz. Papyia Shinde.

3. Insofar as Accused No.3 i.e. Ramesh Reddy is concerned, the

learned Trial Court has released him on bail on 10.05.2024. Insofar as the present Applicant before me is concerned, the weapon used by him is a knife which has already been recovered but having regard to the injury certificate and the specific role attributed to him by the first informant as also in the recorded statement of Arun Mishra which is appended at Page No. 116 of the Application and the fact that the Applicant has suffered incarceration since 29.11.2023, I am inclined to grant bail to the present Applicant.

4. Mr. Kulkarni places on record that there are certain incidents attributable to the Accused No.2 as he has already been indicted in 3 earlier offences. However, in the case before hand, role of Applicant is clearly delineated. Injuries caused by him are simple in nature.

5. Hence, the following order:-

(i) Applicant – Shantaji Pandurang Shinde, in connection with C.R. No. 954 of 2023 registered with Narpoli Police Station, Bhiwandi for the offences punishable under Sections 307, 324, 323 of Indian Penal Code, 1860 r/w Section 135 of the Maharashtra Police Act, 1951 is ordered to be released on bail on furnishing P.B. and S.B. in the sum of Rs. 1,00,000/- (Rs. One Lac only) with one or two sureties to the like amount;

(ii) Applicant shall report to the concerned Police

Station, once every month on the first Monday of the month between 10.00 a.m. to 12:00 p.m.;

(iii) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted;

(iv) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(v) Applicant shall not influence the witnesses or tamper with the evidence in any manner;

(vi) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time, as applicable;

(vii) Applicant shall not misuse his liberty in any manner or to influence the witnesses in any way; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

6. Bail Application is allowed and disposed.

[MILIND N. JADHAV, J.]