

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

CRIMINAL BAIL APPLICATION NO. 3917 OF 2024

Amit Nirmal Mandal

...Applicant

Versus

U.T. Administration of DNH And DD
Through SHO Dabhel Police Station
Nani Daman & Anr.

...Respondents

....

Mr. Mahaling Pandarge, Advocate for the Applicant.

Mr. Harsh Dedhia a/w Mr. Yagni Sarwankar, Mr. Shantanu Nakashe h/f Mr. H. S. Venegavkar, Special P. P. for Respondent No.1-U.T.

Mr. Swapnil Walve, A.P.P. for the Respondent No.2 – State.

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CORAM : N. R. BORKAR, J.
DATE : 2nd APRIL, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 5 of 2024 registered at Dabhel Police Station, District : Daman for the offences punishable under Section 307 r/w Section 34 of the Indian Penal Code.
3. It is the case of the prosecution that on the date of incident, which took place on 06.02.2024 the present

applicant and the other co-accused assaulted the injured Sachin Mahendra Singh by hammer & knife and attempted to commit his murder as dispute arose between them on some trivial issue.

4. I have heard the learned counsel for the applicant and learned Special P.P. for the Respondent No.1.

5. The learned counsel for the applicant submits that the applicant is in jail for about one year and two months and the trial has not commenced. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned Special P.P. for the Respondent No.1 submits that the applicant has assaulted the injured by hammer on his head. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. Prima facie the incident does not appear to be premeditated. The applicant is in jail for about one year and two months. The learned Special P.P. has not disputed the fact that there are no other criminal antecedents against the

applicant. Considering the overall facts and circumstances, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 5 of 2024 registered at Dabhel Police Station, District : Daman for the offences punishable under Section 307 r/w Section 34 of the Indian Penal Code on executing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)