

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

CRIMINAL BAIL APPLICATION NO. 4227 OF 2024

Ashok Rohidas Chandanshive	...Applicant
<u>VERSUS</u>	
The State of Maharashtra	...Respondent

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Mr. Shailesh Chavan a/w Mr. Sachin Pawar a/w Mr. Hrishikesh Avhad a/w Mr. Nagesh Khedkar, Advocate for the Applicant.

Ms. Veera Shinde, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 21.03.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 234 of 2023 registered at Dattawadi Police Station, Dist-Pune for the offences punishable under Sections 307, 326, 143, 144, 147, 148, 149 & 506 of the Indian Penal Code, 1860, Section 4/25 of the Arms Act, 1959 and Section 37(1) r/w 135 of the Maharashtra Police Act, 1951.
3. According to the prosecution, on the date of incident which took place on 05.08.2023 on account of previous enmity the present applicant and other co-accused assaulted the complainant Shreyas Khandare by sharp weapons 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 bail is sought on the ground of parity. In support of the said ground, the learned counsel for the applicant has placed on record the copy of the order passed by this Court dated 21.08.2024 in Criminal Bail Application No. 1621 of 2024. By the said order, this Court has released Kunal Krushna Sawant on bail. The learned counsel for the applicant submits that the similar overt act is attributed to the said co-accused Kunal Krushna Sawant and the present applicant.

6. On the other hand, the learned APP for the Respondent/State submits that the complainant was brutally assaulted. It is submitted that considering the nature of crime, the applicant may not be released on bail.

7. I have perused the statement of injured and eye witnesses. The overt act is attributed to the present applicant and the co-accused Kunal Krushna Sawant appears to be similar. Even otherwise the applicant is in jail for one year and eight months and the trial has not commenced.

8. 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. 234 of 2023 registered at

Dattawadi Police Station, Dist-Pune for the offences punishable under Sections 307, 326, 143, 144, 147, 148, 149 & 506 of the Indian Penal Code, 1860, Section 4/25 of the Arms Act, 1959 and Section 37(1) r/w 135 of the Maharashtra Police Act, 1951, 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 territorial jurisdiction of Dattawadi Police Station, Pune City till the conclusion of the trial except on the date of trial.

D] The applicant shall provide his residential address and name of the nearby police station to the Investigating Officer and he shall attend the said police station on first day of every month between 11.00 a.m. to 2.00 p.m., till the conclusion of the trial except on the date of trial.

E] 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.

F] Liberty is granted to the State to apply for cancellation of bail if the applicant commits any other crime.

9. Application stands disposed of accordingly.

(N. R. BORKAR, J.)