

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

BAIL APPLICATION NO. 4838 OF 2024

Ganesh Parshuram Shinde	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Adv. Priyal G. Sarda a/w Ms. Seems S. Dighe, Mr. Shubham S. Sane and Mr. Rajesh Ranglani, Advocate for the Applicant.

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

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CORAM	:	N. R. BORKAR, J.
DATE	:	20th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No.629 of 2022 registered at MIDC Bhosari Police Station, District : Pimpri-Chinchwad, for the offences punishable under Sections 302, 324, 323, 504, 143, 144, 147, 148, 149 of the Indian Penal Code and Section 37(1)(3) read with Section 135 of the Maharashtra Police Act and Section 4(25) and (27) of the Indian Arms Act.

3. According to the prosecution, on account of previous dispute, on the date of incident which took place on 25-10-2022, the present applicant and other co-accused assaulted the deceased, complainant and their friends by sharp weapons and

stick. It is alleged that in the incident, the deceased had sustained serious injuries and on the very same day succumbed to the said injuries.

4. The learned counsel for the applicant has drawn my attention to the the order passed by this Court dated 25th April 2024, in Criminal Bail Application No.1535 of 2024. By the said order, this Court while permitting the applicant to withdraw the application for bail granted liberty to file fresh application for bail after six months. The learned counsel for the applicant submits that the applicant is in jail for two years and four months and the trial has not commenced. It is submitted that the motive for the alleged crime is not attributed to the present applicant.

5. On the other hand, learned APP for the respondent/State submits that specific overt-act is attributed to the present applicant. It is submitted that considering the nature of offence, the applicant may not be released on bail.

6. The motive for alleged crime is not attributed to the present applicant. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.629 of 2022 registered at

MIDC Bhosari Police Station, District : Pimpri-Chinchwad, for the offences punishable under Sections 302, 324, 323, 504, 143, 144, 147, 148, 149 of the Indian Penal Code and Sections 37(1)(3) read with Section 135 of the Maharashtra Police Act and Sections 4(25) and (27) of the Indian Arms Act 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 twice in a month i.e. on first and third Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;

(N. R. BORKAR, J.)