

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1339 OF 2022

Datta Digambar Thombare

...Applicant

V/s.

The State of Maharashtra

...Respondent

Mr. Shailesh S. Kharat, for the Applicant.

Mr. Amit Palkar, APP, for the Respondent/State.

CORAM : **N.R. BORKAR, J.**
DATE : **15.12.2022.**

PC. :

This is an application under Section 439 of Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No. 364 of 2020 registered at Jejuri Police Station, Taluka Purandar, District Pune for the offence punishable under Section 302 of the Indian Penal Code (I.P.C.).

3. According to the prosecution, on 19/10/2020 quarrel took place between the deceased and present applicant on account of some trivial issue and during the said quarrel, the present applicant assaulted the deceased by brick and committed his murder.

4. I have heard the learned counsel for the applicant and the

learned APP for the respondent/State and perused the statement of eye witness namely Mukund Patil.

5. *Prima facie* the incident does not appear to be premeditated. Only one injury was found during the post-mortem examination. The applicant is in jail for more than two years. There are no other criminal antecedents. Considering the facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, following order is passed:

ORDER

- A) The Application is allowed.
- B) The applicant be released on bail in Crime No. 364 of 2020 registered at Jejuri Police Station, Taluka Purandar, District Pune for the offence punishable under Section 302 of the I.P.C. 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.

[N.R.BORKAR, J.]