

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

BAIL APPLICATION NO.2324 OF 2021

Ravi Ashok Singh

...Applicant

Versus

The State of Maharashtra and Anr.

...Respondents

....

Mr. Sachin Pandey with Mr. Shubham Mishra i/b. Mr. Ashok B. Mishra for the Applicant.

Ms A.A. Takalkar, APP for Respondents -State

Mr. Kamble, PSI, Kurar Police Station, present.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 28th MARCH, 2022.

P.C.:-

1. This is an application under Section 439 of the Cr.PC. filed by the Applicant, who is facing trial in Sessions Case No.705 of 2019 arising from C.R. No.253 of 2019 pending on the file of Sessions Judge, Dindoshi for offence punishable under Section 302 of the IPC.

2. Heard Mr. Sachin Pandey, learned counsel for the Applicant and Ms A.A. Takalkar, learned APP for Respondent-State. Perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The case of the prosecution in brief is that on 30/06/2019 the Applicant committed murder of his father -Ashok Singh. The FIR was lodged by Sarita Ashok Singh, wife of the deceased and mother of the Applicant herein.

4. A perusal of the FIR prima facie reveals that the deceased was under the influence of alcohol and he was abusing and assaulting the Applicant. The Complainant had tried to intervene and prevent the deceased from assaulting the Applicant. But the deceased continued abusing and assaulting the Applicant. The Complainant states that in a fit of anger, the Applicant picked up a kitchen knife and stabbed the deceased in his chest. The post mortem report prima facie reveals that the deceased had single injury and that he had expired as a result of hypovolemic shock due to stab injury in chest.

5. The material on record prima facie indicates that the Applicant herein did not have intention of causing death. He had inflicted a single blow of knife in a fit of rage as the deceased was abusing and assaulting him. It is also to be noted that the Applicant was arrested on 30/06/2019. It is stated that the charge is not yet framed. Considering

the nature of accusations and the material in support thereof, in my considered view it is not necessary to detain the Applicant any further pending trial, which, considering large pendency, is not likely to conclude in near future.

6. Under the circumstances, the application is allowed on the following terms and conditions:-

(i) The Applicant is ordered to be released on bail on furnishing bail bonds in the sum of Rs.50,000/- with one or two solvent sureties in the like amount.

(ii) The Applicant to report to Kurar Police Station on the first Monday of every month between 11.00 a.m. to 2.00p.m. until further orders.

(iii) The Applicant shall keep the Trial Court informed of his current address and mobile contact number and /or change of residence or mobile details, if any, from time to time.

7. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)