

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

BAIL APPLICATION NO. 1104 OF 2022

Hanmant Mahadev Sonwalkar and
Anr.

...Applicants

vs.

The State of Maharashtra

...Respondent

Mr. Pinttu Chaurasia - Advocate for the Applicants

Mr. N. B. Patil - APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 16th JANUARY, 2023

P. C. :-

1. Heard learned Advocate for the Applicants and learned APP for the Respondent-State.

2. These two applicants are Accused Nos. 1 and 2 after charge-sheet. They alongwith their two sons have assaulted one Dnyandev Sonwalkar on 04/07/2020 with the help of iron rod, sickle and iron pipe. There is an allegation that these two Applicants have assaulted with the help of iron pipes.

3. During hospital, he has died. The offence under Section 307 initially (later on converted to Section 302) alongwith Sections 326, 323, 504 read with 34 of the Indian Penal Code came to be

registered.

4. The prayer for bail of these Applicants came to be rejected by the Sessions Court and they claim that this is first bail application before this Court.

5. Learned Advocate for the Applicants fairly submitted that trial has started and now matter is fixed on 18/01/2023 for recording evidence of PW. No. 3.

6. In view of the above, let the trial be conducted and this is not the stage to decide the bail application. If the trial is not finished within a period of one year from today, the Applicants are at liberty to apply for the bail.

7. On this occasion, the Court has not considered the merits of the application. The application is disposed of.

8. Copy of this Order be sent to the trial Court.

[S. M. MODAK, J.]