

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2159 OF 2023

Deepak @ Marfi Jaggnath Kamble ... Applicant

Versus

The State of Maharashtra ... Respondents

.....

Mr. Satyavrat Joshi alongwith Mr. Ashish S. Vernekar and Mr. Samay Pawar, Advocates *for the Applicant.*

Mr. A.A. Palkar, APP *for the Respondent-State.*

.....

CORAM : N.R. BORKAR, J.

DATED : 27 SEPTEMBER 2023

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for grant of bail.
2. The applicant came to be arrested in C.R. No.236 of 2021 registered at Hatkanangale police station, Kolhapur for the offences punishable under Sections 302 of the Indian Penal Code.

3. The deceased and applicant were friends. It is alleged that one day prior to the alleged incident which took place on 12 May 2021, dispute arose between them on account of some financial transaction. It is alleged that on account of said dispute on the date of incident, the present applicant assaulted the deceased by stone and committed his murder.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent- State.

5. The applicant is in jail for about two and half years. The trial is still at the stage of charge. As the applicant and the deceased were friends, possibility of unpremeditated assault cannot be ruled out. 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) The Application is allowed.

(ii) The applicant be released on bail in C.R. No.236 of 2021 registered at Hatkanangale police station, Kolhapur for

the offences punishable under Sections 302 of the Indian Penal Code on furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Thousand) with one or two sureties in the like amount.

(iii) The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

(N.R. BORKAR, J)