



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

BAIL APPLICATION NO.566 OF 2023

SUNILKUMAR RAJESHKUMAR YADAV ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Ms. Sahana Manjesh i/b. Ms. Kritika Agarwal for the
applicant.

Mr. M. G. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 25, 2023.

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for bail in respect of the offence
punishable under Sections 302, 201 of the Indian Penal
Code (hereafter 'IPC' for short) registered vide C.R. No. 134
of 2019 with Narpoli Police Station.

3. It is alleged that there are two accused. The applicant
is the accused no.2. A missing report was filed by the sister
of the deceased on 8/3/2019, Mulund Police Station.
According to the prosecution, the victim on 6/3/2019, had

collected Rs.11,20,000/- from the clients. After collecting the money, he had gone to the house of the accused no.1. The accused no.1 and the present applicant conspired and killed him. It is alleged that after killing the deceased, they filled him in a gunny bag and loaded it on a tempo and threw him in Kharegaon creek. There is a recovery of Rs.1,50,000/- from the present applicant.

4. So far as the nature of the evidence is concerned as against the applicant, the case is entirely based on the circumstantial evidence. The charge has been framed but the trial is yet to commence. The applicant is in custody almost for four years and four months with the possibility of the trial concluding any time soon is remote. The applicant was 25 years of age when the alleged offence was committed. There are no criminal antecedents reported against the applicant. Looking at the entire material against the applicant and in view of the long incarceration, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Sunilkumar Rajeshkumar Yadav in connection with C.R. No. 134 of 2019 with Narpoli Police Station, shall be released on bail on his furnishing P.R. Bond of Rs.50,000/- with one or more sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Narpoli police station, Bhiwandi, once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

5. The application is disposed of.

(M. S. KARNIK, J.)