

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 720 OF 2022**

Rahul Vasant Malode ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Bhushan Deshmukh a/w Mr. Vedant Bende for the Applicant.

Mr. S.S. Hulke, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 13 JANUARY 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 54 of 2021 registered at Amabd police station for the offences punishable under Section 302 read with 34 of the Indian Penal Code and Section 135 of the Maharashtra Police Act.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State and perused the First Information Report.

4. On the date of incident which took place on 12 February 2022 at about 2.50 p.m. the present applicant and other co-accused were chitchatting near the jogging track of Sambhaji Stadium and at that time two girls were with them. It appears that the deceased who was consuming liquor there with his friends said something abusive to the applicant and co-accused. It is alleged that the applicant and co-accused thereafter went

out of the Stadium and came back after some time with knife and assaulted the deceased by the said knife and committed his murder.

5. The incident does not appear to be premeditated. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 54 of 2021 registered at Amabd police station for the offences punishable under Section 302 read with 34 of the Indian Penal Code and Section 135 of the Maharashtra Police Act on furnishing PR bond in the sum of Rs. 25,000/- 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 trial.

(N.R. BORKAR, J.)

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signed by
MANGALTAI
JAYWANT
JADHAV
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