

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1297 OF 2022

Sachin s/o. Jalinder Dakale ...Applicant
V/s.
The State of Maharashtra and anr. ...Respondents.

Mr. Abhishek Kulkarni for the Applicant.
Mrs. Veera Shinde, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 23.03.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No.421 of 2021 registered at Bharti Vidyapeeth Police Station, Pune for the offences punishable under Sections 302 and 201 read with 34 of the Indian Penal Code.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.
4. According to the prosecution, on the date of incident, which took place on 18 May 2021, the altercation took place between the co-accused Vikas Chavan and the deceased while they were consuming liquor on account of transaction in relation to some immovable property. It is alleged that during the said altercation, the said co-accused Vikas Chavan and the present applicant

assaulted the deceased on his head by bricks and committed his murder.

5. The case is based on circumstantial evidence. The applicant is in jail for about 2 years. The alleged motive is not attributed to the present applicant. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 421 of 2021 registered at Bharti Vidyapeeth Police Station, Pune for the offences punishable under Sections 302 and 201 read with 34 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

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

[N.R.BORKAR, J.]