

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1561 OF 2022

Vilas Yashvant Jagtap ...Applicant
V/s.
The State of Maharashtra ...Respondent

Mr. R.V. Gupta for the Applicant.
Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 02.05.2023

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. I-317 of 2019 registered at Malegaon Taluka Police Station, District Nashik, 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, the wife of the deceased who is co-accused in the present case had illicit relations with the present applicant. They thus conspire to commit murder of the deceased. It is alleged that pursuant to said conspiracy on 28 December 2019 they committed murder of the deceased by strangulating him.

5. The case is based on circumstantial evidence. The applicant is in jail for more than three years. The trial is still at the stage of framing of charge. 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] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. I-317 of 2019 registered at Malegaon Taluka Police Station, District Nashik, 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 Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]