



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

BAIL APPLICATION NO.1309 OF 2023

AAKASH SUBHASH JAGTAP

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Aniket Vagal a/w Kunal Pednekar a/w Divesh Mehani for
the Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 30, 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, 120(B) and 201 of the
Indian Penal Code registered vide C.R. No.66 of 2020 with
Malegaon Police Station. The First Information Report is
dated 27/02/2020. The applicant was arrested on
03/03/2020.

3. The duration of the alleged incident is somewhere in
the night between 25/02/2020 and 26/02/2020. There are

in all 3 accused. The applicant is accused No.1. He is the grandson of the deceased. The motive alleged is that the applicant was in need of some money and he was aware that the deceased had the money in her house which she obtained in respect of the property she sold. It is alleged that the grandmother/victim died by strangulation. The case is entirely based on circumstantial evidence.

4. Learned APP while opposing the application states that the motorcycle is recovered at the instance of the applicant. Apart from that, after the incident, a statement of the hotel manager, where the applicant had stayed, is recorded. The mobile phone of the victim was recovered from the co-accused. The investigation is complete and the charge-sheet is filed. There is nothing on record to show that the applicant has any criminal antecedents. The applicant does not appear to be a flight risk. As the applicant has been in custody for more than 3 years and 5 months with no possibility of trial concluding any time soon, in the facts and circumstances of the present case, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Akash Subhash Jagtap in connection with C.R. No. 66 of 2020 registered with Malegaon Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant shall attend the Investigating Officer of Malegaon police station 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.)