



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

BAIL APPLICATION NO.1528 OF 2023

SAHIL SANJAY PANCHRAS

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Siddharth Mehta for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

PSI S.K. Borkar, Dehuroad Police Station.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 14, 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, 364, 201, 120-B, 182 read with 34 of the Indian Penal Code and Sections 37(1)(3) and 135 of the Maharashtra Police Act registered on 12/02/2022 vide C.R. No.97 of 2022 with Dehuroad Police Station, District Pune.

3. There are in all 6 accused. The applicant is accused No. 4. Accused No. 1 is the mother-in-law of the deceased.

Accused No.2 is the wife of the deceased. Accused No.3 is the person who has introduced the accused Nos. 1 and 2 with accused Nos. 4 to 6. Accused No.3 has been released on bail. It is the case of the prosecution that the accused No.2 was fed up with her husband as he was harassing her. Accused Nos.1 to 3 then decided to eliminate him. For the said purpose they contacted accused Nos. 4 to 6. Learned counsel for the applicant states that the case is entirely based on circumstantial evidence. It is stated that the only material against the present applicant is the recovery of blood stained stone used in the commission of the offence at his instance. There is also recovery of blood-stained clothes at the instance of the present applicant.

4. The applicant and the other 2 accused are accused as the main assailants. There is recovery of blood-stained clothes at the instance of the present applicant. There is a recovery of a blood stained stone at the applicant's instance. There are 2 witnesses who have deposed that the deceased was last seen in the company of the present applicant as well as another co-accused in close proximity

at the time of the incident. The said witnesses have identified the applicant in the test identification parade.

5. There appears to be, *prima facie*, incriminating materials against the present applicant. Learned counsel for the applicant states that there are no criminal antecedents against the present applicant. It is further stated that the applicant is a young man of 29 years of age. Considering the materials on record, I am not inclined to enlarge the applicant on bail.

6. The bail application stands rejected.

7. The applicant is at liberty to file a fresh application for bail after 1 year, if there is no substantial progress in the trial.

8. The application is disposed of accordingly.

(M. S. KARNIK, J.)