

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2255 OF 2022

Pradeep @ Godya Gorakh Katarnavare ... Applicant

Versus

The State of Maharashtra ... Respondent

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Ms. Khushboo Jain instructed by Mr. Saurabh Nikalje for the Applicant.
Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 13 APRIL 2023

P.C. :-

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 184 of 2020 registered at Bandgarden Police Station, Pune for the offences punishable under Section 302 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, on the date of incident, which took place on 28 April 2020, dispute arose between the deceased on one

hand and the applicant and other co-accused on other hand while they were smoking Ganja. It is alleged that during the said dispute the present applicant and other co-accused assaulted the deceased by stone and committed his murder.

5. *Prima-facie*, the incident does not appear to be premeditated. The applicant is in jail for about 3 years. There are no criminal antecedents. Considering the overall facts 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 - Pradeep @ Godya Gorakh Katarnavare be released on bail in Crime No. 184 of 2020 registered at Bandgarden Police Station, Pune for the offences punishable under Section 302 r/w. 34 of Indian Penal Code on furnishing P.R. 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.
- (iv) The applicant shall not tamper with the prosecution evidence.

(N.R. BORKAR, J.)