

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2270 OF 2022**

Kailash s/o Ankush Dongre ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Rajendra Wagh for the Applicant.
Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 31 JANUARY 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 746 of 2021 registered at Hinjewadi Police Station for the offence punishable under Section 302 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State and perused the charge-sheet.

4. According to the prosecution, on 3 October 2021, the present applicant committed the murder of the deceased on account of previous dispute.

5. Admittedly, the case is based on circumstantial evidence. The recovery of certain articles at the instance of present applicant is the only incriminating evidence against him. The applicant is in jail for more than two years. Considering the overall facts and circumstances 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- Kailash Ankush Dongre shall be released on bail in Crime No. 746 of 2021 registered at Hinjewadi Police Station for the offence punishable under Section 302 of the Indian Penal Code on furnishing PR 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 the trial.

(N.R. BORKAR, J.)