

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2690 OF 2022

Himalay Dhanaji Bhosale ... Applicant

Versus

The State of Maharashtra ... Respondent

.....

Mr. Shailesh Chavan alongwith Mr. S.P. Sahane for the Applicant.
Mr. Amit Palkar, APP for the State.

.....

CORAM : N.R. BORKAR, J.

DATED : 9 FEBRUARY 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. 458 of 2018 registered at Indapur Police Station, Pune for the offences punishable under Section 302 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, the deceased was addicted to liquor and Ganja. It is alleged that on the date of incident which took

place on 10 June 2018, the deceased came to the place, where the present applicant was selling illicit liquor. It is alleged that dispute arose between the deceased and present applicant on account of some trivial issue and during the said dispute, the present applicant assaulted the deceased by stone and committed his murder.

5. Admittedly, the case is based on circumstantial evidence. Even otherwise the incident does not appear to be premeditated. The applicant is in jail for more than 4½ 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 - Himalay Dhanaji Bhosale be released on bail in Crime No. 458 of 2018 registered at Indapur Police Station, Pune for the offences punishable under Section 302 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.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

Digitally signed
by KANCHAN
PRASHANT
DHURI
Date: 2023.05.10
15:32:41 +0530