

Digitally
signed by
DINESH
SADANAND
SHERLA
Date:
2023.04.01
17:07:14
+0500

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4076 OF 2021

Rupesh S. Deshpande

...Applicant

V/s.

The State of Maharashtra

...Respondent.

Mr. K.U. Nikam for the Applicant.

Mrs. Veera Shinde, APP for the Respondent/State

CORAM : N.R. BORKAR, J.
DATE : 31.01.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No.18 of 2021 registered at Velha Police Station, Pune Rural for the offences punishable under Sections 302, 307, 326, 324, 323, 504 and 506 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.

4. According to the prosecution on 4 April 2021, the present applicant assaulted the deceased by handle of spade and committed his murder on account of some trivial dispute.

5. I have perused the statement of eye-witness Prajwal. The

incident does not appear to be premeditated. *Prima facie*, at the most the case appears to be of culpable homicide. The applicant is in jail for more than 1 and ½ years. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 18 of 2021 registered at Velha Police Station, Pune Rural for the offences punishable under Sections 302, 307, 326, 324, 323, 504 and 506 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

[N.R.BORKAR, J.]