

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2801 OF 2022

Yash @ Gondya Akash Khandale
V/s.

...Applicant

The State of Maharashtra

...Respondent.

Mr. Aniket Nikam i/b Mr. Amit Icham for the Applicant.

Mr. Amit Palkar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 25.01.2023.

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.195 of 2021 registered at Nigdi Police Station, Pune for the offences punishable under Sections 302, 307, 504, 141, 143, 147, 148 and 149 of the Indian Penal Code and Section 4(25), 27 of the Arms Act and Section 37(1)(3) read with Section 135 of the Maharashtra Police Act.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.
4. According to the prosecution on the date of incident, which took place on 19 April 2021, the present applicant and other co-accused committed the murder of the deceased on account of some trivial issue.

5. I have perused the statements of eye-witnesses recorded under Section 164 of the Cr.P.C. They in their statements have not attributed any *overt-act* to the present applicant. I am therefore, 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. 195 of 2021 registered at Nigdi Police Station, Pune for the offences punishable under Sections 302, 307, 504, 141, 143, 147, 148 and 149 of the Indian Penal Code and Section 4(25), 27 of the Arms Act and Section 37(1)(3) read with Section 135 of the Maharashtra Police Act 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.

C] 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.]