

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3519 OF 2022**

Sagar Balasaheb Shingar

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Subhash Jha a/w Mr. Ganesh Patil a/w Mr. Pravin Dabade for the Applicant.

Ms Veera Shinde, APP for the State.

Mr. Ganesh N., PI, Nashik Road Police Station, Present.

.....

CORAM : N.R. BORKAR, J.

DATED : 23 FEBRUARY 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. 554 of 2020 registered at Nashik Road Police Station for the offences punishable under Sections 302, 323 r/w 34 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 the date of incident, which took place on 27 October 2020, altercation took place between the deceased

and co-accused Balasaheb Shingar, the father of the present applicant, on some trivial issue. It is alleged that at that time the present applicant and other co-accused came there and assaulted the deceased by base-ball bat and committed his murder.

5. Prima facie, the incident does not appear to be premeditated. It's a case of single injury. The applicant is in jail for about two and half 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- shall be released on bail in Crime No. 554 of 2020 registered at Nashik Road Police Station for the offences punishable under Sections 302, 323 r/w 34 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.

(N.R. BORKAR, J.)