

*Arjun*

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**BAIL APPLICATION NO. 3298 OF 2023**

Onkar Ravi Kshirsagar

...Applicant

*Versus*

The State of Maharashtra

...Respondent

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Mr. Rushabh S. Dange (Through V.C.), for the Applicant.

Mrs. M. H. Mhatre, APP, for the Respondent-State.

Mrs. Trupti Khalade, Police Sub-Inspector, Hadapsar Police Station, Pune present.

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**CORAM : MADHAV J. JAMDAR, J.  
DATED : JANUARY 10, 2024**

**P.C.:**

**1.** Heard Mr. Dange, learned Counsel appearing for the Applicant and Mrs. Mhatre, learned APP appearing for the Respondent-State.

**2.** This is a regular Bail Application preferred under Section 439 of the *Code of Criminal Procedure, 1973*.

**3.** The relevant details are as follows:-

|   |                                |                               |
|---|--------------------------------|-------------------------------|
| 1 | C.R. No.                       | 716/2023                      |
| 2 | Date of Registration of F.I.R. | 11/05/2023                    |
| 3 | Police Station                 | Hadapsar Police Station, Pune |

|   |                                |                                    |
|---|--------------------------------|------------------------------------|
| 4 | Sections Applied               | 302 of the Indian Penal Code, 1860 |
| 5 | Date of Incident               | 09/05/2023                         |
| 6 | Date of Arrest                 | 11/05/2023                         |
| 7 | Date of filing of Charge-sheet | 04/08/2023                         |

**4.** The informant is the mother of the Applicant. As per her statement her husband Ravi Suryabhan Kshirsagar i.e., deceased was a habitual alcoholic and he used to harass his family members.

**5.** As per the prosecution case, the Applicant confessed to the mother that the deceased while under the influence of alcohol, was abusing the Applicant and a sudden quarrel occurred and, therefore, the Applicant killed the deceased by strangulation.

**6.** It is the contention of Mrs. Mhatre, learned APP that there is a confessional statement and therefore the Applicant be not released on bail.

**7.** However, the case is of circumstantial evidence. The Applicant is aged 20 years. The Charge-sheet has been filed on 4th August 2023. As per the Charge-sheet there are 14 witnesses. The trial is unlikely to conclude any time soon and is likely to take a considerably long time.

**8.** The present Applicant does not have any criminal antecedents. The Applicant does not appear to be a flight risk.

9. Accordingly, the Applicant can be enlarged on bail by imposing conditions. Hence, the following order:-

**ORDER**

- (a) The Applicant- Onkar Ravi Kshirsagar be released on bail in connection with C.R. No.716 of 2023 registered with the Hadapsar Police Station, Dist. Pune on his furnishing P. R. Bond of Rs.25,000/- with one or two sureties in the like amount.
- (b) After being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case there is any change.
- (c) The Applicant shall report to the Hadapsar Police Station, District Pune once every week, on every Sunday between 11.00 a.m. and 1.00 p.m. till the conclusion of trial.
- (d) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing the facts to Court or any Police Officer.
- (e) The Applicant shall not tamper with the evidence and shall not contact or influence the Complainant or any witnesses in any manner.
- (f) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.
- (g) The Applicant shall surrender his passport, if any, to the Investigating Officer.

**10.** The Application is disposed of.

**[MADHAV J. JAMDAR, J.]**