

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3861 OF 2023

Sanjay Bhupal Bansode ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Kuldeep Nikam a/w Om Latpate for the Applicant.

Ms. M. M. Deshmukh, APP for the State.

Mr. Sushant Patil, API, Sangli Rural Police Station.

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CORAM : N.R. BORKAR, J.
DATED : 20 JANUARY 2024

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 301 of 2021 registered at Sangli Rural Police Station for the offences punishable under Section 302 r/w 34 of the Indian Penal Code.

3. According to the prosecution, on the date of incident, which took place on 7 November 2021, present applicant, deceased and co-accused were consuming liquor at the house of the deceased. It is

alleged that altercation took place between the applicant, co-accused on one side and the deceased on the other side on some petty issue and during the said altercation, present applicant and co-accused assaulted the deceased by sharp weapon so also by stick and committed his murder.

4. The case is based on circumstantial evidence. Even otherwise, incident does not appear to be premeditated. The applicant is in jail for more than two years and the trial has not yet commenced. Considering the overall facts and circumstances, 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. 301 of 2021 registered at Sangli Rural Police Station for the offences punishable under Section 302 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.)