

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

CRIMINAL BAIL APPLICATION NO. 2983 OF 2024

Sachin Dinesh Thale

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Gaurav Parkar, Advocate for Applicant.

Mr. P. H. Gaikwad, APP for State-Respondent.

Mr. Avinash Chandrakant Patil, PSI, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 5th SEPTEMBER, 2024

PC:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 119 of 2022, registered with Murud Police Station for the offence punishable under Sections 302 and 201 of the Indian Penal Code, 1860.

3) The learned Counsel for the applicant states that the whole case is based on circumstantial evidence and there is no direct evidence against the applicant. It is pointed out that the applicant is in jail from last two years and as the charge-sheet has been filed, his further custody is not required.

4) On the other hand, the learned APP strongly opposed the application and pointed out that in the missing complaint, there is a mention of the fact of wearing of jewellery by the deceased. It has come on record in the statement of witness Ashwini that the applicant made extra-judicial confessions to her.

5) It is evident from the statement of the Najimbuddin Mohd. Yusuf, the owner of the lodge and the register entry that the applicant and the deceased were together. There is CCTV footage which supports the case of the prosecution. Furthermore, the statement of Shantaram Gopal Hilar, who accompanied the applicant and who saw the body while the applicant was disposing of by pouring diesel on it.

6) In addition, the purse of the deceased was also recovered from the applicant, it has come in the statement of the goldsmith that the amount was paid to the applicant towards the stolen gold sold by him to the Goldsmith.

7) In the circumstances, there is sufficient incriminating material available on record to show the complicity of the applicant in the alleged offence. In that view of the matter, I am not inclined to grant of bail. Accordingly, the application is rejected and disposed of.

[ANIL S. KILOR, J.]