

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

CRIMINAL BAIL APPLICATION NO. 3979 OF 2024

Rahul Dnyanoba Fadtare

...Applicant

Vs.

The State of Maharashtra

...Respondent

Ms. Shubhangi Parulekar, Advocate for Applicant.

Mr. Pankaj Deokar, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 11th NOVEMBER, 2024

PG:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 141 of 2022, registered with Loni Kalbhor Police Station, Pune for the offences punishable under Sections 302 and 201 of the Indian Penal Code, 1860.
- 3) Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, it is evident that the whole case is based on circumstantial evidence and there is no direct evidence against the applicant.
- 4) The informant is the father of the deceased and the applicant is the husband of the deceased. In a complaint, the father of the deceased

stated that there was ill-treatment at the hands of the applicant to the deceased and, therefore, in the complaint he implicated the applicant on the basis of suspicion against him. Whereas, the Investigating Officer has stated that the applicant has confessed the commission of offence, before him. Except for this material, there is nothing to show the involvement of the applicant.

5) In the above-referred backdrop, considering the fact that the applicant is in jail from last about three years and there is no likelihood that the trial will be concluded in near future, I am of the opinion that though the learned APP is strongly opposing the application, the applicant is entitled for grant bail. Accordingly, I pass the following order.

ORDER

- (i) The Bail Application is allowed;
- (ii) It is directed that the Applicant shall be released on bail in Crime No. 141 of 2022, registered with Loni Kalbhor Police Station, Pune for the offences punishable under Sections 302 and 201 of the Indian Penal Code, 1860, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;
- iii The applicant shall attend the said Police Station on 1st day of every month between 10.00 am to 11.00 am, till the conclusion of the trial except on the date of trial;
- iv. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

- v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;
- vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]