



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 60 OF 2025

Vishal S/o. Ramesh Kalkumbe,
Age : 19 years, Occu. : Labour,
R/o. Eknnath Nagar, Aurangabad

... Applicant

Versus

The State of Maharashtra

... Respondent

.....
Mr. Nilesh S. Ghanekar, Advocate for Applicant.
Mr. V. M. Chate, APP for Respondent – State.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 24 APRIL 2025

PRONOUNCED ON : 25 APRIL 2025

ORDER :

1. Present application is for grant of regular bail on account of arrest of applicant in Crime No.0192 of 2024 registered at Satara Police Station, District Aurangabad for offence punishable under sections 302, 323, 225, 504 read with section 34 of Indian Penal Code.

2. Learned counsel for applicant pointed out that applicant is arrested in above crime on 04.05.2024 regarding occurrence dated 03.05.2024. That, applicant is barely 19 years of age. He further submitted that, in fact deceased and applicant were

old friends. That, sudden occurrence took place in anger on account of abused to his mother. That, there is a single blow. Learned counsel pointed out that, case would be at the most culpable homicide not amounting to murder and not murder or homicide. He further pointed out that, charge sheet is filed in August 2024 itself. That, trial has not commenced yet and future course of trial is uncertain and applicant a boy of tender age is behind bars since almost a year. Hence, learned counsel urges for grant of bail.

3. Learned APP opposed on the ground that, offence is serious. Moreover it was pointed out that, charge is already framed and matter is awaiting muddemal. On court query, he submitted that muddemal dispatched to analyzer.

4. Considering such submissions, this court called report from the learned trial Judge, who is seized with the matter.

5. Report is received, wherein the learned Additional Sessions Judge, Aurangabad, who is seized with the sessions case, has reported that charge is framed on 18.12.2024 and matter is awaiting for muddemal from 27.12.2024. Witness summons order has been passed, but its report is not received. Learned Judge has

fairly pointed out that, considering the other matters assigned to the court, including old matters of 05 years, 10 years and 15 years old, learned Judge would require at least one year to decide the said case.

6. In the light of above report, it is clear that, applicant, who is said to be 19 years of age, is behind bars since May 2024 i.e. since almost a year. Learned trial Judge has fairly pointed out that, further one more year would be required to decide the case. Precisely taking the same into account, relief as prayed deserves to be granted. Hence, the following order is passed :-

ORDER

I. The application is allowed.

II. Applicant Vishal S/o. Ramesh Kalkumbe be released on bail in connection with Crime No.0192 of 2024 registered at Satara Police Station, District Aurangabad, on executing Personal Bond of Rs. 25,000/- (Rupees Twenty Five Thousands only) with one surety in the like amount, on the following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

[c] The applicant shall not enter the vicinity where the informant and her family members reside till conclusion of trial.

[d] The applicant shall attend the concerned police station twice in every week i.e. on every Monday and Thursday between 10:00 a.m. to 02:00 p.m. till commencement of trial and thereafter, shall regularly attend each and every effective date before the trial court.

(ABHAY S. WAGHWASE, J.)