



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 663 OF 2025

Sachin Narayan Patil

Age: 38 years, Occu.: Labour,

AT present R/o. : Mahadeo Nagar, 12 number Patti,

Khandapur, Tq. & District : Latur,

R/o. Achwala, Tq.Deoni, District : Latur.Applicant

Versus

The State of Maharashtra

Through Police Inspector,

Deoni Police Station, Deoni,

Tq. & Disrict : Latur.Respondent

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Advocate for Applicant : Mr. Joydeep Chatterji

APP for Respondent : Ms.Vaishali S.Chaudhari

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 29 APRIL, 2025

PRONOUNCED ON : 30 APRIL, 2025

ORDER :

1. Present application is for grant of regular bail on account of arrest of applicant in crime no.0284 of 2023 registered at Deoni Police Station, District Latur, for offence under Sections 302, 201 and 397 of the Indian Penal Code (IPC).

2. Learned counsel for the applicant submits that applicant is arrested on 03-10-2023. That, he is not named in the FIR. That, FIR

is against unknown persons. That, there are allegations by informant that his brother Ashok was done to death by unknown persons for unknown reasons by means of sharp weapon. That, present applicant is arrested on suspicion. That, in supplementary statement dated 06-10-2023, name of present applicant is surfaced. That, there is no incriminating or direct evidence and case is rather based on circumstantial evidence. That, now investigation is over and chargesheet is filed. That, investigating machinery could not gather any incriminating material. That, applicant is behind bars since almost one and half year. It is submitted that though matter is committed in December, 2023 and charge is framed on 29-03-2025, however, thereafter matter has not progressed. According to learned counsel, uncertainty prevails over course of trial and moreover, prosecution has a long list of witnesses of over 45 witnesses and as such there are no prospects of matter coming to an end in near future. Therefore, on the ground of long pre-trial incarceration, he urges for grant of bail.

3. Learned APP opposed application on the ground that investigation revealed that deceased Ashok was assaulted by iron rod by the applicant while attempting to commit theft. That, cash and

gold worth Rs.1,73,120/- is stolen. According to learned APP, as charge is framed, there are bright prospects for trial coming to an end. For all above reasons, relief of bail is opposed.

4. Heard. Perused the FIR. As pointed out, informant Somnath has reported murder of his brother Ashok by unknown persons for unknown reason. Atleast in the FIR, there are no allegations about stealing of ornaments, however, after FIR dated 28-09-2023, informant's supplementary statement is recorded on 06-10-2023 wherein he has reported name of present applicant and apparently in said supplementary statement, he claims to have learnt about it from Police.

5. This Court had, after hearing submissions that applicant is behind bars since Oct 2023 and inspite of chargesheet being filed and charge being framed, there to be no progress in the trial, called report of learned trial Judge, whose report dated 28-04-2025 is received. Learned trial Judge has conveyed that charge is framed on 29-03-2025, but Muddemal is not received or deposited. It is also reported that summons to informant are returned unserved. It is further conveyed that prosecution has tendered a list of 45 witnesses. After reporting about the entire strength of file of cases before the

learned trial Judge, it is conveyed that one more year would be require to conclude the trial.

6. Therefore, apparently from the aforesaid report, it appears that for another year, there are no chances of trial coming to an end. Case is primarily based on circumstantial evidence. Applicant is behind bars since October 2023. Therefore, in light of above discussion, only on the ground of long pretrial incarceration, relief as prayed deserves to be granted. Hence, following order :

ORDER

I. The application is allowed.

II. Applicant be released on bail in connection with Crime No. 0284 of 2023 registered at Deoni Police Station, District Latur, on executing Personal Bond of Rs.25,000/- with one surety in the like amount, on the following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not enter the vicinity where informant, his family resides, till conclusion of trial.

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

(ABHAY S. WAGHWASE)
JUDGE