

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

CRIMINAL BAIL APPLICATION NO. 4729 OF 2024

Salim Gayasuddin Sayyad

...Applicant

VERSUS

The State of Maharashtra

...Respondent

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Mr. Ramanik Pawar a/w Ms. Arti Bajpai, Ms. Samiksha Pawar, Ms. Trupti Jamulkar Ms. Dhanashri J., Mr. Samadhan M., Ms. Shubhangi Kadam, Advocate for the Applicant.

Ms. G. S. Rao, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 22.04.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 3 of 2022 registered at Mahatma Gandhi Police Station, Dist-Sangli for the offences punishable under Sections 302 r/w 34 of the Indian Penal Code.
3. FIR is lodged by Sangita Yogesh Shinde, wife of the deceased Yogesh Shinde. The deceased, who was resident of Ichalkaranji was working at Gajanan Hotel, Miraj. There he got acquainted with the present applicant and co-accused. About 15 days prior to the incident, which took place on 02.01.2022, the accused persons and the

deceased were consuming liquor at the deceased's house. At that time, a dispute arose between them on account of certain financial transactions. The deceased threatened them that he will kill them as he had previously committed a murder and fled from jail at Ichalkaranji. It is alleged that on the date of incident the accused persons entered the deceased's house in a drunken state and started assaulting the deceased on account of the previous dispute. They assaulted the deceased with an iron rod on his neck due to which he collapsed. Thereafter, they strangled him by pressing the iron rod on his neck and thereby committed his murder.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant has drawn my attention to the station diary entry dated 03.01.2022. The learned counsel for the applicant submits that in the said station diary entry no overt act is attributed to the present applicant. The learned counsel for the applicant submits that the applicant is in jail for about three years and three months and except framing of charge, there is no progress in the trial.

6. On the other hand, the learned APP for the Respondent/State submits that the case is based on direct evidence. It is submitted that considering the nature of crime the applicant may not be released on bail.

7. The applicant is in jail for three years and three months and the trial is not likely to be concluded in near

future as except framing of charge there is no progress in the trial. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 3 of 2022 registered at Mahatma Gandhi Police Station, Dist- Sangli for the offences punishable under Sections 302 r/w 34 of the Indian Penal Code, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)