

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 723 OF 2024

Sharad Namdev Nimse

.. Applicant

Versus

The State of Maharashtra

.. Respondent

-
- Ms. Anjali Awasthi, Advocate for Applicant.
 - Ms. Megha S. Bajoria, APP for Respondent – State.
-

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 04, 2025.

P.C.:

1. Heard Ms. Awasthi, learned Advocate for Applicant and Ms. Bajoria, learned APP for Respondent – State.

2. Prisoner's Medical Report submitted by the Chief Medical Officer, Taloja Central Prison, Navi Mumbai *prima facie* when seen shows that Applicant is suffering from medical complications and he has been prescribed medication but also would require surgery.

3. I have heard the learned Advocate for Applicant. Applicant is indicted in an offence under Section 302 and other allied offences of the Indian Penal Code, 1860 for committing the murder of the victim by inflicting a knife blow to stab him.

4. Ms. Awasthi, learned Advocate for Applicant would submit that the incident occurred at the spur of moment when both the

Applicant and victim were riding their respective motorcycles and unintended spitting by the Applicant fell on the victim due to which he was enraged and the situation turned ugly and resulted into a verbal altercation and scuffle. She would fairly submit that Applicant called his friends to assist him to retaliate and teach the victim a lesson but in the scuffle he stabbed him. Applicant is incarcerated for the past 3 years and 3 months.

5. Ms. Bajoria, learned APP appearing for the prosecution shall ascertain the veracity of submissions made on behalf of Applicant from the record of the case and accordingly apprise the role and motive of Applicant in the crime to the Court on the next adjourned date. Considering his long incarceration in prison, prosecution shall also ascertain the status of trial and inform the same to Court for consideration.

6. Considering the medical emergency of the Applicant, list the Bail Application for hearing on Board on **17th April, 2025 at 02:30 p.m.**

[MILIND N. JADHAV, J.]

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