

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1402 OF 2024**

Shrimant Anna Nagargoje
V/s.

...Applicant

The State of Maharashtra

...Respondent.

Mr. Tapan Thatte a/w Mr. Mohammad S. Mulla i/b Hulyalkar & Associates, for the applicant.

Ms. Veera Shinde, APP for the Respondent/State.

API. Rajendra Khairnar, Panvel City Police Station.

CORAM : N.R. BORKAR, J.
DATE : 13.01.2025.

P.C. :

1. This is an application for bail.
2. The applicant came to be arrested in Crime No. 228 of 2016 registered at Panvel City Police Station, Navi Mumbai and is facing trial for the offences punishable under Sections 302 and 201 of the Indian Penal Code.
3. The deceased were the wife and the daughter of the applicant. According to the prosecution, the applicant was having extra marital affairs. It is alleged thus there used to be frequent quarrels between the applicant and his wife. It is alleged that on account of the said dispute, on the date of incident which took place on 12.06.2016, the present applicant committed the murder of his wife and daughter.

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 submitted that the case is based on circumstantial evidence. It is submitted that the dead body of the wife was found on 13.6.2016 and the dead body of the daughter was found on 14.6.2016. It is submitted that both the dead bodies were identified by the mother of the deceased wife, however, no allegations were made against the applicant till 28.6.2016. It is further submitted that the applicant is in jail for more than five years and the trial is not likely to be concluded in near future. It is thus submitted that the applicant be released on bail.

6. On the other hand, the learned APP for the respondent-state submitted that the applicant is involved serious crime. It submitted that the applicant was absconding after the alleged crime for four years. It is further submitted that there are witnesses, who, on the date of incident, had seen the applicant, and the deceased going together in the truck. It is submitted that there are witnesses on the point of frequent quarrel between the applicant and his wife. The learned APP submitted that considering the nature of offence, the applicant may not be released on bail.

7. I have perused the statement of witnesses, including the statement of Sweta Shendkar recorded under Section 164 of the Cr.P.C. It supports the prosecution case. Considering the nature of

offence and as the applicant was absconding for a period of four years, I am not inclined to release the applicant on bail. Hence, the Application is rejected. However, as the applicant in in jail for more than five years, the trial Court shall endeavour to conclude the trial as early as possible.

[N.R.BORKAR, J.]