

Ajay

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

CRIMINAL BAIL APPLICATION NO. 2147 OF 2024

Ghanshyam Magan Khakhrodiya	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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- Ms. Meenakshi Sakhare, i/by A.R. Sutrale for Applicant.
 - Mr. Sukanta Karmakar, APP for Respondent – State.
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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 28, 2025.

P.C.:

1. Heard Ms. Sakhare, learned Advocate for Applicant and Mr. Karmakar, learned APP for Respondent – State.

2. This is an Application under Section 439 of the Code of Criminal Procedure, 1973 seeking Regular Bail in connection with C.R.No.788 of 2023 registered with Borivali Police Station for the offences punishable under Sections 302, 504 and 506 of the Indian Penal Code, 1860.

3. Applicant is vegetable vendor selling garlic in the Borivali Vegetable market. Victim used to repeatedly steal garlic from the Applicant's cart and therefore Applicant decided to teach him a lesson. On the date of incident Applicant had an altercation with the victim in the market on this issue which escalated into a fight.

4. *Prima facie* it is seen that the incident which has occurred was due to the fact that the Applicant was upset with the repeated behaviour of the victim stealing garlic from his handcart leading to the incident. Considering the nature of the incident, learned APP is directed to take appropriate instructions so that the Application can be considered in view of the fact that Applicant is incarcerated for the past one year and two months.

5. Stand over to 11th February 2025.

[MILIND N. JADHAV, J.]

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