

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

**CRIMINAL BAIL APPLICATION NO. 2772 OF 2024
WITH
INTERIM APPLICATION NO.5255 OF 2024**

Prathmesh Ramdas Khandare	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Priyal Sarda a/w Mr. Rajabhau S. Chaudhary i/by Mr. Kishan Chaudhari, Advocate for the Applicant.

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

API Vaishali Bhosale, Sinhgad Road, Pune City, Present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	8th APRIL, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 464 of 2023 registered at Sinhgad Road Police Station, District : Pune for the offences punishable under Sections 302, 143, 147, 148, 149, 201, 120-B of the Indian Penal Code and Sections 37(1) r/w 135 of the Maharashtra Police Act.
3. The present applicant is an accused No.3 in the aforesaid crime. The accused No.1 and accused No.4 were in

relationship. The deceased was against their relationship as accused No.4 was initially in relationship with him. It is alleged they thus decided to kill the deceased. They thus entered into conspiracy with the other co-accused in the present crime including the present applicant. It is alleged that pursuant to the said conspiracy, on the date of incident which took place on 29.09.2023, the present applicant and other co-accused assaulted the deceased by iron rod etc. and committed his murder.

4. I have heard the learned counsel for the applicant and learned A.P.P for the Respondent-State.

5. The learned counsel for the applicant submits that during the course of investigation, the prosecution has collected CCTV footage, as according to prosecution the entire incident was captured in CCTV cameras installed near the place of incident. It is submitted that the said CCTV footage does not show that the applicant was present at the place of incident. It is submitted that the applicant is in jail for more than one and half years and the trial has not commenced. It is submitted that there are no other criminal antecedents against

the applicant.

6. On the other hand, the learned A.P.P. for the Respondent-State submits that there is enough incriminating material to connect the applicant with the alleged crime. It is submitted that considering the nature of crime, the applicant may not be released on bail.

7. The motive for alleged crime is not attributed to the present applicant. There are no other criminal antecedents against the applicant. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 464 of 2023 registered at Sinhgad Road Police Station, District : Pune for the offences punishable under Sections 302, 143, 147, 148, 149, 201, 120-B of the Indian Penal Code and Sections 37(1) r/w 135 of the Maharashtra Police Act, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police

Station once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;

(iv) Application stands disposed of accordingly.

(v) In view of disposal of Application, Interim Application does not survive and stands disposed of accordingly.

(N. R. BORKAR, J.)