

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

**CRIMINAL BAIL APPLICATION NO. 3315 OF 2024**

|                              |               |
|------------------------------|---------------|
| Abhishek @ Blakya Lala Korde | ...Applicant  |
| Versus                       |               |
| The State of Maharashtra     | ...Respondent |

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Ms. Shubhangi Parulekar a/w Mr. Ajay B., Advocate for the Applicant.

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

Ms. Shamal Patil (PSI), Chatushrungi Police Station, present.

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| <b>CORAM</b> | <b>:</b> | <b>N. R. BORKAR, J.</b>            |
| <b>DATE</b>  | <b>:</b> | <b>28<sup>th</sup> APRIL, 2025</b> |

**P.C.:**

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 776 of 2019 registered at Chatushrungi Police Station, District : Pune for the offences punishable under Sections 302, 324, 323, 143, 147, 148, 149, 504, 506 of the Indian Penal Code Sections 4 & 25 of the Arms Act and Sections 37(1), 135 of the Maharashtra Police Act, 1951.
3. The deceased was running pan and cigarette stall. It is the case of the prosecution that on the date of incident which took place on 01.09.2019, dispute arose between the deceased on one side and the applicant and other co-accused

on other sides on account of payment of cigarette charges. It is alleged that the applicant and other co-accused thus assaulted the deceased by sharp weapon 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 has drawn my attention to the order passed by this Court dated 26.07.2023 in Bail Application No.2707 of 2022. By the said order, the trial Court was directed to conclude the trial as expeditiously as possible and liberty was granted to file a fresh application for bail if the trial is not started within six months. The learned counsel for the applicant submits that inspite of the said order, the trial is still at the stage of framing of charge. It is submitted that the applicant is in jail for five years and eight months.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the case is based on direct evidence. It is submitted that considering the nature of offence, the applicant may not be released on bail. As regards the delay in trial, the learned A.P.P submits that the charge

could not be framed as the co-accused are absconding.

7. The fact that the applicant is in jail for five years and eight months is not disputed. If the co-accused are absconding then the application for separation of the trial should have been moved. Considering the over all 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. 776 of 2019 registered at Chatushrungi Police Station, District : Pune for the offences punishable under Sections 302, 324, 323, 143, 147, 148, 149, 504, 506 of the Indian Penal Code Sections 4 & 25 of the Arms Act and Sections 37(1), 135 of the Maharashtra Police Act, 1951, 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) The applicant shall not commit any other crime.
- (v) Application stands disposed of accordingly.

**(N. R. BORKAR, J.)**