

Ajay

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

CRIMINAL BAIL APPLICATION NO. 3576 OF 2024

Pramod Raman Khulat	.. Applicant
Versus	
The State of Maharashtra	.. Respondent

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- Mr. Gautam T. Kanchanpurkar, Advocate for Applicant.
 - Ms. Megha S. Bajoria, APP for Respondent – State.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 02, 2025.

P.C.:

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

2. Mr. Kanchanpurkar would persuade the Court to consider grant of bail to the Applicant who has been incarcerated for the past 2 years in an offence under Sections 302 and 323 read with 34 of the Indian Penal Code, 1860.

2.1. He would submit that Applicant's and the deceased victim's family are neighbours and there was a land dispute between them due to which the scuffle took place leading to the incident in question. Role of Applicant *prima facie* attributed is of he having inflicted kick and fist blows on the deceased victim according to the prosecution.

2.2. He would however persuade the Court to consider the

witness statements recorded by prosecution which *prima facie* do not subscribe to the prosecution case as Applicant having inflicted kick and fist blows on the deceased victim. He has drawn my attention to the witness statement appended at page No.52 of the Application and would submit that if the same is seen, it would be evident that the role attributed to Applicant at the time of incident is that he inflicted kick and fist blows on the First Informant son of the deceased victim, who is one of the injured victim having suffered simple injury. He would submit that the said injured victim is the the First Informant in the present case.

2.3. Next he would submit that the incident was not pre-meditated and planned in as much as it happen on the spur of moment because of the animosity between the parties and therefore considering the role of the Applicant he be enlarged on bail.

3. Ms. Bajoria, learned APP is directed to take appropriate instructions from the concerned Investigating Officer on the precise role of the Applicant in the crime and accordingly apprise the Court on the next adjourned date on the veracity of the aforementioned submissions made by Mr. Kanchanpurkar.

4. List the Bail Application on Board **22nd April, 2025**. To be placed on the '**Supplementary Board**'.

[MILIND N. JADHAV, J.]

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