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

BAIL APPLICATION NO.3593 OF 2024

Avinash Rambadan Yadav	... Applicant
V/s.	
The State of Maharashtra	... Respondent

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Mr. Ateet Shirodkar for the applicant.

Mrs. R.V. Newton, APP for the respondent-State.

CORAM : AMIT BORKAR, J.

DATED : JULY 1, 2025

P.C.:

1. By this bail application filed under Section 439 of the Code of Criminal Procedure, 1973, the applicant is seeking regular bail in connection with Crime Register No.264 of 2022, registered with Vartak Nagar Police Station, Thane. The applicant is facing prosecution for serious offences punishable under Sections 302 (murder), 326 (causing grievous hurt by dangerous weapons), 323 (voluntarily causing hurt), 504 (intentional insult with intent to provoke breach of peace), and 506(2) (criminal intimidation), all read with Section 34 of the Indian Penal Code, 1860.

2. Learned Advocate appearing for the applicant submitted that the trial is at the final stage and most of the prosecution witnesses have already been examined. It is further submitted that it is likely that the trial would conclude within one or two months. On this ground, learned counsel contends that at this advanced stage of

trial, the applicant may not be released on bail, and that the application itself may be disposed of accordingly.

3. Upon considering the submissions made on behalf of the applicant, this Court finds that the present case pertains to a serious charge under Section 302 of the IPC, which is punishable with death or imprisonment for life. The allegations involve an incident of assault resulting in death, and the material collected by the prosecution, including eyewitness statements and medical evidence, has led to framing of charges against the applicant and co-accused.

4. From the record, it appears that the trial has substantially progressed and the prosecution has examined a majority of its witnesses. The matter is now at the final stage. In such circumstances, when the trial is likely to conclude within a short span of one to two months, it would not be appropriate at this juncture to enlarge the applicant on bail, as the prayer for bail may become infructuous if the final judgment is delivered soon. Moreover, the possibility of the applicant tampering with the evidence or attempting to influence witnesses, although limited at this stage, cannot be entirely ruled out in cases involving serious offences of this nature.

5. In view of the above facts and circumstances, and considering the stage of trial and nature of offence, this Court is of the opinion that no case for grant of bail is made out at this stage.

6. Accordingly, the bail application stands rejected.

(AMIT BORKAR, J.)