

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

BAIL APPLICATION NO. 3651 OF 2024

Aditya Baban Nawale	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Shailesh Chavan a/w Mr. Amit Icham, Mr. Hrushikesh Avhad and Mr. Jitendra Sawant, Advocate for the Applicant.

Mr. T. G. Khan, A.P.P. for the Respondent – State.

Mr. M. M. Kudekar (HC), Khed Police Station, Pune Rural, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	12th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.372 of 2020 registered at Khed Police Station, Pune Rural, for the offence punishable under Sections 302, 201 read with Section 34 of the Indian Penal Code.
3. According to the prosecution, the applicant was having illicit relationship with the wife of the deceased. It is alleged that, thus, on the date of incident which took place on 06.10.2020 the present applicant along with other co-accused

committed the murder of the deceased.

4. During the course of investigation, the statement of the wife of the deceased was recorded. In the said statement she had made allegations of rape against the applicant and thus, separate crime was registered against the present applicant for the offence under Section 376 of the IPC.

5. The learned counsel for the applicant has tendered the judgment in the Sessions Case No.25 of 2021 arising out of the said crime for the offence punishable under Section 376 of the IPC. I have perused the said judgment. The wife of the deceased has turned hostile.

6. The learned A.P.P. submits that the applicant is involved in the serious crime for the offence under Section 302 of the IPC. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. The case is based on the circumstantial evidence. The applicant is in jail for more than four years. Considering the overall facts and circumstances, 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.372 of 2020 registered at Khed Police Station, Pune Rural, for the offence punishable under Sections 302, 201 read with Section 34 of the Indian Penal Code 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 twice in a month i.e., on first and third Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)