

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

CRIMINAL BAIL APPLICATION NO. 3692 OF 2024

Praful Gariyal Ekka	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Manohar S. Mandavkar, Advocate for the Applicant.
Ms. Anamika Malhotra, A.P.P for the Respondent – State.
Mr. Ashok Bansode, (PSI) Tarapur Police Station, present.

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

P.C.:

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No. 49 of 2022 registered at Tarapur Police Station, District : Palghar for the offences punishable under Sections 302 r/w Section 34 of the Indian Penal Code.

3. According to the prosecution on the date of incident which took place on 16.06.2022, on some trivial issue, dispute arose between the deceased on one side and the applicant and other co-accused on other side. It is alleged that due to the

said dispute, the present applicant and other co-accused assaulted the deceased by stone 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 the case is based on circumstantial evidence. It is submitted that the applicant is in jail for more than two and half years and the trial has not commenced. It is submitted that even otherwise the incident was not premeditated.

6. On the other hand, the learned A.P.P for the Respondent-State submits that there is an eye witness to the initial dispute between the deceased and the accused. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. Admittedly the case is based on circumstantial evidence. The applicant is in jail for more than two and half years and the trial has not commenced. Considering the over all facts and circumstances of the case, I am inclined to release the applicant on bail on certain conditions.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 49 of 2022 registered at Tarapur Police Station, District : Palghar for the offences punishable under Sections 302 r/w 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 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 submit his residential address and contact number, if any to the concerned Police Station;
- (v) Criminal Bail Application stands disposed of accordingly.

(N. R. BORKAR, J.)