

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

BAIL APPLICATION NO. 3841 OF 2024

Vijay Gayaram Choudhary	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Bhushan Raut, Advocate for the Applicant.

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

Mr. S. A. Patil (API), Bharati Vidyapeeth Police Station, Pune City, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	07th MAY, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.755 of 2021 registered at Bhartiya Vidyapith Police Station, District : Pune, for the offences punishable under Sections 302, 201 of the Indian Penal Code, 1860 (for short 'IPC').
3. The deceased was a transgender. It is alleged that the applicant used to ask the deceased for sexual favour. It is alleged that on the date of incident, which took place on 23.11.2021 dispute arose between the applicant and the

deceased on account of demand of sexual favour and during the said dispute, the present applicant assaulted the deceased by some blunt weapon and committed his murder.

4. 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 three years and six months and the trial has not commenced. It is submitted that there are no other criminal antecedents.

5. On the other hand, the learned A.P.P. for the Respondent-State submits that the deceased was lastly seen in the company of the applicant and there is a CCTV footage to that effect. It is submitted that there is recovery of bloodstained cloth at the instance of the present applicant. It is submitted that considering the nature of crime, the applicant may not be released on bail.

6. The case is based on circumstantial evidence. The applicant is in jail for three years and six months. The trial is not likely to be concluded in near future as it is still at the stage of framing of charge. Considering the said facts, 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.755 of 2021 registered at Bhartiya Vidyapith Police Station, District : for the offences punishable under Sections 302, 201 of the Indian Penal Code, 1860 (for short 'IPC'), on executing PR. 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;

(N. R. BORKAR, J.)