

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

CRIMINAL BAIL APPLICATION NO. 4082 OF 2024

Naeem Ahmed Jamal Ahmed ...Applicant

VERSUS

The State of Maharashtra ...Respondent

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Mr. Aniket Vagal a/w Ms. Savvy Kolhekar a/w Mr. Kunal Pednekar, Advocate for the Applicant.

Mr. S. S. Chaudhary, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 06.05.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. I-51 of 2021 registered at Ayesha Nagar Police Station, Dist-Nashik for the offences punishable under Sections 302, 143, 149, 427, 212, 120(B) and 506(2) read with 34 of the Indian Penal Code.
3. The applicant is accused No.4 in the aforesaid crime. There was a financial dispute between the deceased and accused No.1. It is alleged that on account of the said dispute on the date of incident which took place on 29.07.2021 the present applicant and the other co-accused assaulted the deceased by sharp weapon and

committed his murder.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant has drawn my attention to the order passed by this Court dated 04.08.2023 in Bail Application No.1658 of 2023. By the said order the applicant was permitted to withdraw his earlier bail application with liberty to file a fresh application after one year. The learned counsel for the applicant submits that the applicant is in jail for three years and ten months and the trial is still at the stage of framing of charge. It is submitted that the allegations of assault by sharp weapon are against accused No.1.

6. On the other hand, the learned APP for the Respondent/State submits that the case is based on direct evidence. It is submitted that at the time alleged incident the applicant was armed with a knife. It is submitted that accused No.1 assaulted the deceased by the knife, which the present applicant was carrying. It is submitted that the applicant is involved in one more crime for the offence punishable under Section 326 of the Indian Penal Code. It is submitted that there is a recovery of blood-stained cloths at the instance of the applicant. It is submitted that considering the nature of crime the applicant may not be released on bail.

7. I have perused the statement of eye witnesses. They have attributed the alleged assault by sharp weapon to accused No.1. The applicant is in jail for three years and

ten months and the trial has not commenced. Considering the said facts, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. I-51 of 2021 registered at Ayesha Nagar Police Station, Dist- Nashik for the offences punishable under Sections 302, 143, 149, 427, 212, 120(B) and 506(2) read with 34 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station twice in a month, i.e., on first & third Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

D] The applicant shall not commit any other crime.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)