

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4111 OF 2024

Ravindra N. Nikam
V/s.
The State of Maharashtra

...Applicant
...Respondent.

.....

Mr. Aniket Nikam a/w. Ms Shreya Anawal i/b Mr. Amit Icham for the Applicant.
Mr. Swapnil Walve, APP for the Respondent/State.

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CORAM : N.R. BORKAR, J.
DATE : 13.03.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.47 of 2022 registered at Kalwan Police Station, Nashik for the offence punishable under Section 302 of the Indian Penal Code.
3. According to the prosecution, in the intervening night of 18.03.2022 & 19.03.2022 the present applicant assaulted the deceased by sharp weapon and committed his murder as the deceased used to make frequent phone calls to the sister-in-law of the applicant (the wife of the applicant's brother).
4. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.

5. Learned counsel for the applicant has drawn my attention to the order passed by this Court dated 24.4.2023 in Criminal Bail Application No. 3129 of 2022. By the said order, this Court has directed the trial Court to conclude the trial as early as possible. The learned counsel for the applicant submits that except framing of the charge, there is no progress in the trial. It is submitted that the applicant is in jail for about 3 years and there are no other criminal antecedents. It is submitted that considering the overall facts and circumstances, the applicant may be released on bail.

6. On the other hand, learned APP for the respondent/State submits that the applicant is involved in serious crime of murder. It is submitted that case is based on direct evidence as there is an eye-witness to the incident. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. Approximately two years back this Court has directed the trial Court to conclude the trial as early as possible. In spite of it, there is no progress in the trial. The applicant is in jail for about 3 years. The trial is not likely to be concluded in near future. Considering the overall facts and circumstances, 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 C.R. No. 47 of 2022 registered at Kalwan Police Station, Nashik for the offences punishable under Section 302 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 not enter into the limits of Taluka Kalwan, Dist. Nashik till conclusion of the trial.

[N.R.BORKAR, J.]