

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4183 OF 2024

Karan Birbal Bahadur

.. Applicant

Versus

The State of Maharashtra and Anr.

.. Respondents

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- Mr. B. J. Shaikh, Advocate for Applicant.
- Ms. Mahalakshmi Ganapathy, APP for Respondent No.1.
- PSI – A. Y. Kamble, Aarey Police Station.

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 15, 2025

P.C.:

1. Heard Mr. Shaikh, learned Advocate for Applicant and Ms. Ganapathy, learned APP for Respondent.

2. Mr. Shaikh would submit that Applicant is incarcerated for 4 years 8 months 28 days pending trial. Charge has been framed but trial has not been commenced. According to the prosecution they desire to examine 23 witnesses in support of prosecution case.

3. Mr. Shaikh would submit that Applicant is indicted under Sections 302 and 363 of the Indian Penal Code, 1860 for having committed murder of 14 year old juvenile boy. Applicant was 25 years old at the time of incident.

4. *Prima facie*, the case of prosecution is based on circumstantial evidence. However there is material in form of witness

statements as also CCTV Footage which has been taken cognizance by learned Sessions Court while determining previous Bail Application for denying bail to Applicant.

5. The only reason that impels the Court to consider the Bail Application of Applicant is long incarceration of Applicant pending trial. Considering the ignominy that Applicant would suffer if the trial is prolonged about which there is no certainty of being completed in the near foreseeable future.

6. In that view of the matter, Ms. Ganapathy, learned prosecutor shall take appropriate instructions and apprise the Court about the precise status of trial on the next adjourned date in order to enable this Court to ascertain the present Bail Application for grant of bail.

7. Learned APP would submit that Applicant has not annexed copy of entire charge-sheet hence the Court.

8. Mr. Shaikh is directed to annex entire copy of charge-sheet and hand over copy of the same to learned APP.

9. Stand over to **22nd April, 2025.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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