

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

CRIMINAL BAIL APPLICATION NO.4245 OF 2024

Dipak Nagnath Salunkhe	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Shrikant R. Gadade a/w Mr. Changdev S. Shingade, Advocate
for the Applicant.

Mr. Swapnil Walve, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	21st APRIL, 2025

P.C.:

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No. 441 of 2024 registered at Jodbhavi Peth Police Station, District : Solapur for the offences punishable under Sections 103, 238, 309(6), 61(2) & 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. It is the case of the prosecution that on the date of incident which took place on 25.07.2024, the deceased boarded the auto-rickshaw of the co-accused Pavan Sarawade. At that time the applicant was also present in the said auto-

rickshaw. It is alleged that the present applicant strangled the deceased and committed her murder in order to steal the jewellery of the deceased.

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 submitted that there is no material on record to connect the applicant with alleged crime. It is submitted that the material on record is not consistent with the prosecution case. It is further submitted that the cause of death of the deceased is recorded to be drowning and no ligature marks were found on the neck of the deceased.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the applicant is involved in serious crime. The applicant in connivance with the co-accused has committed the murder of an old lady with a view to steal her jewellery which was on her person. It is submitted that considering the nature of crime, the applicant may not be released on bail.

7. I have perused the statements of witnesses. *Prima facie* there appears to be certain inconsistency in their statements. Considering the over all facts and circumstances of the case and as there are no other criminal antecedents against the applicant, I am inclined to release him on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 441 of 2021 registered at Jodbhavi Police Station, District : Solapur for the offences punishable under Sections 103, 238, 309(6), 61(2) & 3(5) of the Bhartiya Nyaya Sanhita, 2023, 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;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)