

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

CRIMINAL BAIL APPLICATION NO. 4679 OF 2024

Mangesh Datta Khetre

...Applicant

Versus

The State of Maharashtra

...Respondent

....

Ms. Shivani Kondekar a/w Mr. Mahesh Gunjal, Advocate for
the Applicant.

Mr. Tanveer Khan, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.

DATE : 28.02 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 446 of 2021 registered at Panvel City Police Station, District : Navi Mumbai for offences punishable under Sections 302, 392 and 120-B of the Indian Penal Code (IPC).
3. According to the prosecution, on the date of incident which took place on 13.08.2021, the present applicant and other co-accused committed the murder of the deceased with a

view to rob him.

4. I have heard the learned counsel for the applicant and the learned A.P.P for the Respondent-State.

5. 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 and half years and the trial has not commenced. It is further submitted that this Court has already released the co-accused on bail.

6. On the other hand, the learned A.P.P for the Respondent-State submits that there are extra judicial confessions made by the present applicant. It is submitted that there is a recovery of ornaments of the deceased at the instance of present applicant. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. The case is based on circumstantial evidence. The applicant is in jail for three and half years and the trial has not commenced. In that view of the matter, I am inclined to release the applicant on bail.

ORDER

- (i) The Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 446 of 2021 registered at Panvel City Police Station, District : Navi Mumbai for offences punishable under Sections 302, 392 and 120(B) of the 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., first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial;
- (iv) The Application stands disposed of accordingly.

(N. R. BORKAR, J.)