

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4697 OF 2024

Sukhraj M. Bhandalkar
V/s.

...Applicant

The State of Maharashtra

...Respondent.

.....
Mr. Priyal G. Sarda a/w. Ms Seema S. Dighe and Mr. Rajesh
Ranglani i/b Mr. Kishan Choudhary for the Applicant.
Mr. C.D. Mali, APP for the Respondent/State.

.....
CORAM : N.R. BORKAR, J.
DATE : 05.05.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.247 of 2021 registered at Loni Kalbhor Police Station, Dist. Pune for the offences punishable under Sections 302, 307, 504, 506(2) of the Indian Penal Code, Section 4 read with 25 of the Arms Act and Section 37(1) read with 135 of the Bombay Police Act.
3. The deceased and the applicant were neighbours. It is the case of the prosecution that on the date of incident which took place on on 28.04.2021, the present applicant came to the house of the deceased and assaulted him by Axe and committed his murder on account of previous dispute.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.

5. The bail is sought on the ground of long incarceration as under-trial prisoner. Learned counsel for the applicant submits that the applicant is in jail for four years and the trial has not commenced. It is submitted that there are about 28 witnesses and therefore, the trial is not likely to be concluded in near future. It is submitted that there are no other criminal antecedents. It is thus submitted that 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 the present applicant has assaulted the deceased by Axe on his head. It is submitted that the trial Court has recorded the reasons while rejecting the bail application of the applicant as to why the trial could not proceed. It is submitted that considering the nature of offence, instead of releasing the applicant on bail, the trial be expedited.

7. The case is based on direct evidence. It appear from the statements of the eye-witnesses that the present applicant assaulted the deceased by Axe on his head. The trial Court in it's order has recorded the reasons as to why the trial could not proceed. Considering the nature of crime, I am not inclined to release the applicant on bail. The Application is rejected. However, considering the fact that the applicant is in jail for 4 years, the trial Court shall endeavour to conclude the trial as early as possible.

[N.R.BORKAR, J.]