

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

CRIMINAL BAIL APPLICATION NO. 4924 OF 2024

Sahil Sadik Shaikh	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Shailesh Chavan a/w Mr. Sachin Pawar, Advocate for the Applicant.

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

Mr. B. C. Losarwar (PSI), Kamshet Police Station, Pune, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	24th MARCH, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 437 of 2020 registered at Kamshet Police Station, District : Pune Rural for the offences punishable under Sections 302 r/w Section 34 of Indian Penal Code.
3. There was a dispute between the deceased and the present applicant on account of certain financial issues. It is alleged that few days prior to the incident, which took place on 16.11.2020, the deceased had abused the present applicant

on account of said financial issues and thus the applicant was annoyed with him. It is alleged that he, thus, with the co-accused assaulted the deceased by sharp weapons and committed his murder.

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 has drawn my attention to the order passed by this Court dated 15.12.2023 in Bail Application No.866 of 2023. By the said order, the applicant was permitted to withdraw the bail application filed by him and liberty was granted to file fresh application after nine months depending upon the progress of trial. The learned counsel for the applicant submits that except framing of charge, there is no progress in the trial. It is submitted that the case is based on circumstantial evidence. It is submitted that the applicant is in jail for about four and half years and there are no criminal antecedents.

6. On the other hand, the learned A.P.P for the Respondent-State submits that dead body was recovered at the instance of the present applicant. It is submitted that there is

other incriminating material against the present applicant in the form of extra judicial confession. 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 four and half years. There are no criminal antecedents. Considering the overall facts and circumstances, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 437 of 2020 registered at Kamshet Police Station, District : Pune for the offences punishable under Sections 302 r/w Section 34 of Indian Penal Code, on executing P.R. 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.)