

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

CRIMINAL BAIL APPLICATION NO. 5029 OF 2024

Lavkush Kamalkumar Yadav

...Applicant

VERSUS

The State of Maharashtra

...Respondent

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Ms. Pooja Agarwal, Advocate for the Applicant.

Ms. P. S. Rane, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 19.03.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 75 of 2024 registered at Wakad Police Station, Dist-Pune for the offences punishable under Section 302 read with 34 of the Indian Penal Code, 1860.
3. The applicant is accused No.2 in the aforesaid crime. According to the prosecution, the accused no.1 was annoyed with the deceased as he was having illicit relations with the wife of the elder brother of accused No.1. It is alleged that on the date of incident, which took place on 21.01.2024 the present applicant and accused No.1 committed the murder of the deceased as he uttered

some foul words, about the wife of applicant's brother.

4. I have heard the learned counsel for the applicant and the learned APP 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 motive for the alleged crime is attributed to the accused no. 1. It is further submitted that the applicant is in jail for one year and the trial has not commenced.

6. On the other hand, the learned APP for the respondent/State submits that there are strong incriminating circumstances against the applicant. It is submitted that considering the nature of crime the applicant may not be released on bail.

7. The case is based on circumstantial evidence. Apart from it, the motive for the alleged crime is not attributed to the present applicant. Considering the said facts, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 75 of 2024 registered at Wakad Police Station, Dist-Pune for the offences punishable under Section 302 r/w 34 of the Indian Penal Code, 1860 on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees

Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

D] The applicant shall not leave Pune City without permission of the trial Court.

7. Application stands disposed of accordingly.

(N. R. BORKAR, J.)