

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 5106 OF 2024**

Malaykumar Devendra Prasad Singh	...Applicant
<u>VERSUS</u>	
The State of Maharashtra	...Respondent

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Mr. Kuldeep U. Nikam, Advocate for the Applicant.

Mr. Vinod Chate, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	04.03.2025.

P.C.:

1. The learned counsel for the applicant seeks leave to correct cause title of the application. Leave as sought is granted. Necessary amendment shall be carried out forthwith.
2. This is an application for regular bail.
3. The applicant came to be arrested in Crime No. 40 of 2018 registered at Samarth Police Station, Dist- Pune for the offences punishable under Section 302 of the Indian Penal Code.
4. The deceased was the wife of the present applicant. According to the prosecution, the applicant was suspecting her character and thus on the date of incident, which took place on 18.2.2018, he committed her murder by strangulating her.

5. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

6. The bail is sought on the ground of long incarceration as under-trial prisoner. The learned counsel for the applicant submits that the applicant is in jail for approximately seven years and though the trial Court has framed the charges in the year 2019, thereafter there is no progress in the trial.

7. On the other hand, the learned APP for the respondent-State submits that the trial Court was required to adjourn the matter as Lawyer for the present applicant was not present on many occasions. It is submitted that considering the nature of offence, the applicant may not be released on bail.

8. It is not shown that the witnesses were present and the trial could not proceed as the Lawyer for applicant was absent. Considering the overall facts and circumstances, 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. 40 of 2018 registered at Samarth Police Station, Dist-Pune for the offences punishable under Section 302 of the Indian Penal Code, 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 1st Saturday between 11.00 a.m to 2.00 p.m., till conclusion of trial.

(N. R. BORKAR, J.)