

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

CRIMINAL BAIL APPLICATION NO. 5324 OF 2024

Ajinkya Vijay Kamble

...Applicant

VERSUS

The State of Maharashtra

...Respondent

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Mr. Shantanu Kolhe a/w Mr. Tejas Puneekar i/b Mr. Nitin Gaware
Patil, Advocate for the Applicant.

Mr. V. A. Kulkarni, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 15.04.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 275 of 2018 registered at Yerwada Police Station, Dist- Pune for the offences punishable under Sections 302, 201 & 212 r/w 34 of the Indian Penal Code.
3. The deceased and the present applicant were friends. It is alleged that on the date of incident which took place on 18.04.2018, on some trivial issue dispute arose between them while they were consuming liquor. It is alleged that during the said dispute the present applicant assaulted the deceased by stone and committed his murder.

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. The learned counsel for the applicant submits that the applicant is in jail for seven years. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned APP for the respondent/State submits that the trial has commenced and the prosecution has already examined four witnesses. It is submitted that the present application at this stage, may not be entertained.

7. The case is based on circumstantial evidence. The applicant is in jail for seven years. 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. 275 of 2018 registered at Yerawada Police Station, Dist- Pune for the offences punishable under Sections 302, 201 & 212 r/w 34 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 first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)