

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

CRIMINAL BAIL APPLICATION NO. 9 OF 2025

Sagar Mohan Chandanshive	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Jaydeep Mane, Advocate for the Applicant through V.C.

Mr. S. S. Chaudhary, A.P.P. for the Respondent – State.

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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. 99 of 2023 registered at Vijapur Naka Police Station, District : Solapur City for the offences punishable under Sections 302 r/w Section 34 of the Indian Penal Code.

3. According to the prosecution, on account of previous dispute on the date of incident which took place on 16.02.2023, the present applicant and other co-accused assaulted the deceased by stick 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 submits that according to the first informant, who is the brother of the deceased, the deceased had disclosed the names of the assailants to him on the very day of the incident, however, in his statement recorded on the next day of the incident there is no reference of alleged dying declaration. It is submitted that there is a delay of three days in lodging the report. It is further submitted that the alleged eye witness has not disclosed about the incident for four days. It is submitted that the applicant is in jail for two years and the trial has not commenced.

6. On the other hand, the learned A.P.P for the Respondent-State submits that the case is based on direct evidence and oral dying declaration. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. *Prima-facie*, there appears to be substance in the submission of the learned counsel for the applicant. 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. 99 of 2023 registered at Vijapur Naka Police Station, District : Solapur City for the offences punishable under Sections 302 r/w Section 34 of the 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.)