

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 561 OF 2025

Prashant S. Gaikwad ...Applicant
V/s.
State of Maharashtra ...Respondent.

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Mr. Salman Pathan (through VC) a/w. Mr. Sangram R. Divekar for
the Applicant.
Mrs. Veera Shinde, APP for the Respondent/State
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CORAM : N.R. BORKAR, J.
DATE : 07.03.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.266 of 2018 registered at Khadki Police Station, Pune city for the offences punishable under Section 302 of the Indian Penal Code.
3. The applicant and the deceased were friends. It is alleged that one day while they were consuming liquor, dispute arose between them and during the said dispute the deceased assaulted the applicant by liquor bottle. It is alleged that the applicant was thus annoyed with the deceased and on the date of incident which took place on 25.8.2018, he assaulted the deceased by iron rod 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. Learned counsel for the applicant submits that the applicant is in jail for more than 6 and ½ years. It is submitted that except framing of charge, there is no progress in the trial.

6. On the other hand, learned APP for the respondent/State submits that the deceased was brutally assaulted. It is submitted that there are eye-witnesses to the incident. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. The fact that the applicant is in jail for more than 6 and ½ years is not disputed. There are no other criminal antecedents against the present applicant. The trial is not likely to be concluded in near future as only charge is framed. Considering the overall facts and circumstances, I am inclined to release the applicant on bail on certain conditions. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 266 of 2018 registered at Khadki Police Station, Pune city 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 first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]