

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.642 OF 2025

Sonu Paras Rajbhar .. Applicant
Versus
The State of Maharashtra .. Respondent

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- Mr. Mithilesh Sharma, Advocate for Applicant.
 - Mr. Sukanta A. Karmakar, APP for Respondent – the State of Maharashtra.
 - PSI – Mulla, Worli Police Station.
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 18, 2025

P.C.:

1. Heard Mr. Sharma, learned Advocate for Applicant and Mr. Karmakar, learned APP for Respondent – the State of Maharashtra.

2. This is an Application under Section 439 of Code of Criminal Procedure, 1973 (for short '**Cr.P.C.**') seeking Bail in connection with C.R. No.1157 of 2022 registered with Worli Police Station for offences punishable under Section 302 of the Indian Penal Code, 1860 (for short '**IPC**').

3. Applicant is incarcerated for more than 2 years for offence punishable under Section 302 of IPC.

4. Mr. Sharma would inform the Court that incident occurred at construction site where both Applicant and victim knew each other and at 11:00 p.m. in night the scuffle ensued between them, the

motive of which has not been brought on record. He would argue that the incident was the alleged scuffle between the parties where Applicant in fit of rage took a brick lying nearby and inflicted three blows on the head of victim leading to serious injury and death of victim. He would submit that victim was moved to hospital 4 hours after the happening of incident at about 02:00 a.m. in the night.

5. All that he would submit is that 2 years incarceration period and no motive been escribed to skirmish or scuffle ensued and it been happened on spur of moment are the only reasons which shall be considered for grant on bail. He would submit that Applicant had no antecedents whatsoever. Age of Applicant is 18 years whereas age of victim is 19 years old as informed at the time of incident.

6. Mr. Karmakar, learned APP appears for Respondent – State of Maharashtra. Copy of Application shall be served on prosecution forthwith. Mr. Karmakar shall take appropriate instructions and apprise the Court on the next adjourned date.

7. Stand over to **25th March, 2025 at 02.30 p.m.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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