

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

BAIL APPLICATION NO. 708 OF 2025

Ganpat Maruti Zagade	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Kuldeep Nikam a/w Adv. Nishi Singhvi, Advocate for the Applicant.

Ms. Veera Shinde, A.P.P. for the Respondent – State.

Mr. Rahul Namade (API), Parvati Police Station, Pune City, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	30th APRIL, 2025.

P.C.:

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No.388 of 2019 registered at Dattawadi Police Station, District : Pune City, for the offences punishable under Sections 302, 324, 504 read with Section 34 of the Indian Penal Code, 1860 (for short 'IPC').

3. The applicant is Accused No.2 in the present crime. According to the prosecution, Accused No.1 was having illicit

relations with the present applicant. It is alleged that on the date of incident, which took place on 25.08.2019, the Accused No.1 overheard the conversation between the deceased and his wife, who is the complainant in the present crime and thought that they are talking about her illicit relation with the applicant. It is alleged that she called the present applicant, who then came there and assaulted the deceased by iron rod and committed his murder.

4. 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 five years and eight months and the trial is not likely to be concluded in near future as the prosecution till date has examined only one witness. It is submitted that even otherwise the incident was not premeditated.

5. On the other hand, the learned A.P.P. for the Respondent-State submits that the case is based on direct evidence. It is submitted that the applicant is involved in two more crimes. It is submitted that the trial has already commenced and hence at this stage, the present application

may not be entertained.

6. The fact that the applicant is in jail for five years and eight months is not disputed. The trial is at very initial stage. 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.388 of 2019 registered at Dattawadi Police Station, District : Pune City, for the offences punishable under Sections 302, 324, 504 read with Section 34 of the Indian Penal Code, 1860 (for short 'IPC') 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 not enter into the corporation limits of Pune City till conclusion of trial except to attend the dates before the Trial Court;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)