

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 772 OF 2025

Usman Shah @ Paplet s/o. Atikul Shah .. Applicant

Versus

State of Maharashtra .. Respondent

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- Mr. Ajit M. Savagave a/w Ms. Samruddhi Kulkarni for Applicant
- Mr. B.B. Kulkarni, APP for State

.....

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 21, 2025

P. C.:

1. Heard Mr. Savagave, learned Advocate for Applicant and Mr. Kulkarni, APP for State.

2. Applicant - accused has filed the present Application for regular bail under Section 439 of the Code of Criminal Procedure, 1973 (for short, "**Cr.PC.**") in connection with Crime No. I-162/2021 registered with Kalwa Police Station, Thane under Sections 302, 307, 323, 504 read with Section 34 of the Indian Penal Code, 1860 (for short, "**IPC**").

3. Applicant is incarcerated for the last 3 years and 9 months. Charge is not yet framed. There are two accused in the present crime out of which co-accused has been granted bail.

4. Mr. Savagave would submit that the incident in question occurred in a public place when the complainant misbehaved with two

girls (friends) who were accompanying the accused persons. He would submit that the accused persons are young offenders. He would submit that a sudden fight ensued between the parties because of the above issue which escalated into a brawl. He would submit that Applicant – accused No. 1 inflicted 20 injuries with the knife on the victim leading to his death. He would submit that considering the fact that the incident occurred on the spur of moment due to the aforestated reason and charge not having been framed and long incarceration for the period of 3 years and 9 months pending trial and the Applicant being a young offender of 20 years of age, this Court be pleased to consider the present Bail Application. He would submit that Applicant has no antecedents.

5. Learned APP shall take instructions on the aforementioned submissions and apprise the Court about the status of the trial on the next adjourned date.

6. Stand over to **27th March, 2025 at 2:30 p.m.**

[MILIND N. JADHAV, J.]

Amberkar

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