

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.964 OF 2025

Richard @ Richi Peter Fernandes .. Applicant
Versus
The State of Maharashtra .. Respondent

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- Ms. Tabassum Khan a/w. Ms. Farheen Shaikh, Advocates for Applicant.
 - Mr. Sukanta A. Karmakar, APP for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 07, 2025

P.C.:

1. Heard Ms. Khan, learned Advocate for Applicant and Mr. Karmakar, learned APP for Respondent.

2. Applicant is incarcerated for offence punishable under Section 302 of the Indian Penal Code, 1860 since 28.05.2021 for past more than four and half years.

3. Ms. Khan would persuade the Court to consider his case for grant of bail in view of the fact that incident which has occurred causing death of victim was on account of Applicant being a friend of victim who attempted to help him at the time of incident. In so far weapon used in the crime is concerned, she would submit that incident took place in a scrap yard with various scrap shops around and as per prosecution case wire and wooden plank were used. She would inform the Court that the First Informant is missing and not traceable which is

precisely leading to delay in trial and trial has not commenced as yet.

4. Mr. Karmakar, learned APP is directed to take appropriate instructions on the submissions made by Ms. Khan and apprise the Court about the status of the trial and also the fact whether First Informant who is prosecution witness No.1 is traceable or not. Appropriate orders shall be passed on the next adjourned date after hearing the prosecution.

5. Stand over to **15th April, 2025.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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