

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1196 OF 2025

Jamil Ahmed Ansari @ Sameer

.. Applicant

Versus

State of Maharashtra

.. Respondent

.....

- Mr. Fareen A. Shaikh for Applicant
- Mr. Sukanta A. Karmakar, APP for Respondent - State

.....

CORAM : MILIND N. JADHAV, J.

DATE : MARCH 25, 2025

P. C.:

1. Heard Mr. Shaikh, learned Advocate for Applicant and Mr. Karmakar, learned APP for State.

2. The Applicant was initially convicted for the offence punishable under Section 307 of the IPC; however the said offence was subsequently converted to Section 302 of the IPC. The Applicant has been in incarceration since 25.06.2021 and as of today has undergone a period of detention for 3 years, 9 months, and 1 day.

3. Mr. Shaikh would submit that there is no eye witness to the incident. He would submit that the Applicant is accused of causing injuries to the victim who was himself a drug peddler in a dilapidated and uninhabited building. He would submit that Applicant is a hawker by profession and has no antecedents whatsoever. That apart he would persuade the Court to consider the statements which do not

indict or attribute any role to the Applicant. In so far as the medical certificate is concerned, he would submit that the deceased victim suffered 32-33 number of injuries with a blunt object pursuant to which after some time he succumbed to his injuries.

4. Considering the long incarceration of the Applicant pending trial, Mr. Shaikh would persuade the Court to consider the present Bail Application.

5. Learned APP is directed to take instructions on the status of the trial and appraise the Court on the next adjourned date. Considering the long incarceration of the Applicant and more specifically submissions made by Mr. Shaikh that Applicant is indicted on the basis of circumstantial evidence, present Application shall be heard on the next adjourned date which shall be noted by the learned APP.

6. Stand over to **23rd April, 2025.**

[MILIND N. JADHAV, J.]

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