

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1234 OF 2025

Ramapati Devi Shankar Sahu

.. Applicant

Versus

The State of Maharashtra

.. Respondent

-
- Mr. Amin Solkar, Advocate for Applicant.
 - Ms. Rajeshree V. Newton, APP for Respondent.
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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 27, 2025

P.C.:

1. Heard Mr. Solkar, learned Advocate for Applicant and Ms. Newton, learned APP for Respondent.

2. Applicant is incarcerated for offence under Section 302 of the Indian Penal Code, 1860 (for short 'IPC') for a period of 5 years 8 months 14 days. Mr. Solkar would persuade the Court to consider the fact that case of prosecution against Applicant is purely based on circumstantial evidence as there is no direct eye witness to the alleged incident. There are 2 accused persons in the present case. He would submit that recovery of a weapon i.e. knife has been made by the prosecution and injury certificate appended to the Application shows three injuries have been inflicted on the body of the victim. He would fairly concede that the principal injury is due to a slit on the neck of the victim. However, since there is no direct eye witness to the

incident and the long incarceration of Applicant coupled with the fact that charge having been framed three years ago and not a single a witness out of the probable 41 witnesses desired to be examined by the prosecution in trial having been examined, he would urge the Court to release the Applicant on bail.

3. Ms. Newton, learned APP is directed to ascertain the veracity of the submissions made by Mr. Solkar from the prosecution case and the charge-sheet and accordingly apprise the Court on the next adjourned date and also inform the status of trial. Considering long incarceration of Applicant of 5 years 8 months 14 days, present Application shall be heard and disposed on the next adjourned date which shall be noted by the prosecution.

4. Stand over to **03rd April, 2025.** To be placed on the ‘Supplementary Board’.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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