

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1354 OF 2025

Aashutosh Rameshchandra Mishra .. Applicant
Versus
The State of Maharashtra .. Respondent

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

DATE : APRIL 04, 2025

P.C.:

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

2. Applicant is a young offender having been incarcerated in offence punishable under Section 302 of the Indian Penal Code, 1860 (for short '**IPC**'). He was of 18 years old when the incident happened. He alongwith another juvenile coaccused are indicted in the crime. The other co-accused person enlarged on bail by the Juvenile Court has subsequently expired.

3. Mr. Pasbola would persuade the Court to consider the fact that the incident happened at the spur of the moment when Applicant enquired with the deceased – victim about the whereabouts and address of some person which he refused to divulge.

4. He would submit that in view of his refusal to provide

whereabouts and details, it enraged the Applicant and the co-accused juvenile, who assaulted the victim. Initially victim was grievously hurt but subsequently during his hospitalisation while receiving treatment he succumbed to his injury after two days.

5. He would persuade the Court to consider the young age of Applicant and the fact that Applicant had not pre-meditated or planned the offence and undoubtedly his long incarceration of more than 4 years in prison pending trial which would probably hamper his entire future life and career for grant of bail.

6. Learned APP shall consider the aforesaid submissions made by the learned Advocate for Applicant and ascertain its veracity from the record of the case and apprise the precise role of Applicant as also the motive for the crime emanating from the record of the case for consideration of the present Application for bail.

7. Stand over to **28th April, 2025**. To be placed on the 'Supplementary Board'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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