

Laxmi Sontakke
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

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CRIMINAL BAIL APPLICATION NO. 1893 OF 2025

Zico Anselm Misquitta

.. Applicant

Versus

The State of Maharashtra

.. Respondent

.....

- Mr. Shrirang Katneshwarkar a/w Vivek Chauhan, Advocates for Applicant.
- Ms. Mahalakshmi Ganapathy, APP for the State.

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CORAM : MILIND N. JADHAV, J.

DATE : MAY 07, 2025

P.C.:

1. Heard Mr. Katneshwarkar, learned Advocate for Applicant and Ms. Ganapathy, learned APP for Respondent.

2. This is an Application under Section 439 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking Bail in connection with C.R. No.34 of 2022 for the offences punishable under Sections 302, 201 read with 34 of the Indian Penal Code, 1860 registered with Palghar.

3. The Applicant in the present case is indicted and is in incarceration for the past more than 3 years pending trial. Prosecution intends to examine 46 witness. Trial has not commenced despite the charge having been framed. There are two accused persons in the present crime. The case of prosecution is based on circumstantial evidence.

4. Learned Advocate would inform the Court that in so far as indictment of other co-occused person is concerned, the role attributed to him is of he having inflicted the fatal stab wound on the victim which is justified by the medical report. He would submit that considering Applicant's role, he be enlarged on bail. *Prima facie* a case is made out by learned Advocate on the above facts for grant of bail. Learned Prosecutor appearing in the matter shall take appropriate instructions with respect to the veracity of the aforesaid submissions made by Advocate of Applicant and ascertain the precise role of Applicant and apprise the same to the Court.

5. Bail Application is directed to be listed on 15th July 2025.

6. Considering the aforesaid facts, liberty is granted to the Advocate for Applicant to move the vacation court at his request.