

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3435 OF 2025**

Manoj Hariram Yadav	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Shailesh I. Kantharia a/w Dhurmil N. Shah, *for the Applicant.*

Ms. Manisha R. Tidke, *APP for the Respondent - State.*
PSI – Sanjivani Todkar, Kolshewadi Police Station, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 24TH NOVEMBER 2025

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.I-27 of 2019 registered with the Kolshewadi Police Station, for the offences punishable under Sections 302, 120-B and 201 r/w Section 34 of the Indian Penal Code, 1860. The Applicant was arrested on 21st January, 2019.

2. The facts of the present case, in brief, are that the deceased was married to one Sandeep Yadav, a resident of Uttar Pradesh. It is alleged that the deceased had an extra-marital affair with the Applicant. The deceased was caught by her in-laws in the company of the Applicant, following which they have sent her back to her parental home. Thereafter, the deceased was sent to Mumbai alongwith her brother Tirthraj Yadav. She was found hanging in a deserted railway yard at Kalyan. It is further alleged that the accused collectively conspired to kill her on account of her extra marital affair with the Applicant. They killed her and hanged her body to make it appear that she had committed suicide. Consequently, an FIR was registered, pursuant to which the Applicant was arrested.

3. The Applicant made an Application seeking bail before the Additional Sessions Judge, Kalyan, Dist. Thane; however, by order dated 26th June, 2025, the said Application was rejected. Hence, the Applicant has filed present Application for the reliefs as prayed.

4. Mr. Kantharia, learned counsel for the Applicant, submits that the Applicant is neither involved nor connected in any manner with the offence as alleged. In fact, it is the allegation of the other accused that the deceased was having an extra-marital affair with the Applicant. He further submits that, out of four accused, two have already been enlarged on bail, and only the real brother of the deceased remains in custody. There is no material on record indicating the presence of the Applicant at the place of occurrence. He submits that the Applicant has no criminal antecedents. He further submits that the charges have been framed and only four witnesses are examined, whereas the total number of witnesses is 38. It is therefore unlikely that the trial will conclude in the near foreseeable future. He thus, prays that the Applicant be released on bail.

5. Ms. Tidke, learned APP representing the State, contests the bail Application. She submits that there is CCTV footage showing the presence of the Applicant with the deceased on the skywalk near the railway yard, and that the

Applicant has been implicated on the basis of last seen theory. She submits that offence is serious in nature and involves circumstances akin to honour killing. Hence, she prays that the Application be rejected.

6. Admittedly, it is the allegation that the the deceased was having an extra-marital affair with the present Applicant and that on account of the same, her brother and father, in order to avoid defamation in the society, did away with the deceased. At this stage, there is no material on record to indicate complicity of the present Applicant in the said crime. Admittedly, there are no antecedents against him. The Applicant is in custody since 21st January, 2019, and it is unlikely that the trial will conclude in the near foreseeable future. In these circumstances, I am inclined to enlarge the Applicant on bail. It is accordingly ordered as under:-

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;

- ii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;
- iii) The Applicant shall also attend the Police Station concerned once in a month between 11:00 a.m. to 02:00 p.m., till the charges are framed;
- iv) If the Applicant has not deposited his passport, if any, the Applicant shall deposit the same with the Police Station concerned;
- v) The Applicant shall not leave the State of Maharashtra, without the permission of the Trial Court;
- vi) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- vii) The Applicant shall inform his latest place of residence and contact number immediately after

being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Police Station concerned;

viii) The Applicant to co-operate with the conduct of the trial;

ix) Any infraction of the aforesaid conditions shall entail cancellation of bail.

7. Application is allowed in the above terms and is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)