

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4176 OF 2025

Hemant A. Mohite
V/s.
The State of Maharashtra

...Applicant
...Respondent.

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Mr. Vipul Dushing a/w. Mr. Tanmay Kate and Adv. Ashraf Kazi i/b Mr. Swapnil Kshirsagar for the Applicant.
Mrs. A.A. Deshmukh, APP for the Respondent/State.
PSI Rajendra Marne, Wakad Police Station and Pimpri Chinchwad Police Station is present.

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CORAM : N.R. BORKAR, J.
DATE : 26.11.2025.

P.C. :

1. This is an application for bail.
2. The applicant came to be arrested in Crime No.1063 of 2021 registered at Wakad Police Station, Pimpri-Chinchwad for the offence punishable under Section 302 of the Indian Penal Code.
3. According to the prosecution, on the date of incident, which took place on 16th December 2021, the present applicant strangled the deceased and committed her murder.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent/ State.

5. The learned counsel for the applicant has drawn my attention to the order passed by this Court dated 9th May 2025. The said order reads thus:

"1. The learned counsel for the applicant, on instructions, seeks leave to withdraw the present application with liberty to file a fresh bail application after four months.

2. Leave granted. The Application is disposed of as withdrawn with liberty as sought."

6. Learned counsel for the applicant submits that the applicant is in jail for almost 4 years and the trial is at very initial stage and thus the trial is not likely to be concluded in the near future. Learned counsel for the applicant submits that the applicant and the deceased were in love relationship. It is submitted that the case is based on circumstantial evidence and no motive is attributed to the applicant for the alleged crime.

7. On the other hand, learned APP for the respondent/State submits that this Court had already rejected the application for bail of the present applicant on merits. It is submitted that trial has commenced and therefore, the present application may not be entertained.

8. The fact that the applicant is in jail for almost 4 years is not disputed. Considering the fact that the prosecution has cited 30 witnesses, the trial is not likely to be concluded in near future. Considering the overall facts and circumstances, I am inclined to

release the applicant on bail on certain conditions. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No.1063 of 2021 registered at Wakad Police Station, Pimpri-Chinchwad for the offence punishable under Section 302 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month, i.e. on 1st Saturday between 11:00 a.m. to 2:00 p.m., till conclusion of trial.

[N.R.BORKAR, J.]