

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**BAIL APPLICATION NO. 3505 OF 2025**

Sonukumar Siyaram Ram

...Applicant

*Versus*

State of Maharashtra

...Respondent

---

**Mr. A. R. Bukhari**, *for the Applicant.*

**Ms. Gauri S. Rao**, *APP for the Respondent-State.*

**Mr. K.R.Patil**, *API attached to Manpada Police Station,  
Dombivali, present.*

---

**CORAM    DR. NEELA GOKHALE, J.**

**DATED:    16<sup>th</sup> FEBRUARY 2026**

**PC:-**

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. I-29 of 2023 dated 10<sup>th</sup> January 2023 registered with the Manpada Police Station, Thane City for the offences punishable under Section 307 read with Section 34 of the Indian Penal Code, 1860 ('IPC').

2. The case of the prosecution, in brief, is that, the Complainant, Sanjaykumar Munsiram, was residing along

with his friends Sonukumar Siyaram Rai, Karanram Ashrayram, and Surendrakumar Ramesh Ram at Dombivali and was working with them at Gimatex Company, MIDC, Dombivali East. They all used to work together in 12-hour shifts from 7 a.m. to 7 p.m. On 9<sup>th</sup> January 2023, after returning from work around 7:00 p.m., the Complainant and his friends decided to cook and eat fish. The Complainant and Sonu, the Applicant, went to Tata Naka to buy raw fish and consumed some country-made liquor (desi daaru) on the way. They returned to their room in an auto-rickshaw around 10 p.m.

3. Later, they cooked and had food together. At that time, Sonu asked the Complainant to buy cigarettes for all of them. After buying cigarettes, they smoked and then went to sleep around 1:00 a.m. It is alleged that, at that time, Sonu and Karan told Surendra to catch hold of Sanjay and cut his private part using a sharp weapon. The grievously injured Sanjay was then taken to Shivam Hospital in Dombivali and thereafter referred to J.J. Hospital, Mumbai for further

treatment.

4. The Applicant had filed an application seeking bail before the Additional Sessions Judge, Kalyan. However, it came to be rejected by an order dated 6<sup>th</sup> December 2023. Hence, the Applicant is before this Court for the reliefs as prayed.

5. Mr. Bukhari, learned counsel appearing for the Applicant, submits that the Applicant has been in custody since 12<sup>th</sup> January 2023. It is alleged by the prosecution that the Applicant had chopped off Complainant's private part while the Co-accused held him. However, it was pointed out that as per the medical history recorded at the hospital, the Victim did not remember the incident clearly. It was further submitted that though the Applicant has been in jail for over 3 years, the charge is yet to be framed, and the trial is not likely to conclude in the near future. It was also argued that the Applicant does not have any past criminal record and is a first-time offender. On these grounds, Mr. Bukhari requests that the Applicant be released on bail, possibly on stringent

conditions.

6. On the other hand, Ms. Gauri Rao, the learned APP representing the State in the matter, vehemently opposes the Bail Application. It was argued that the nature of the crime is brutal and inhuman, as the Applicant chopped off Victim's private part, while the Co-accused restrained him. It was submitted that the role attributed to the Applicant clearly shows his involvement in the crime and the gruesome manner in which it was committed, which makes it unfit for this Court to exercise discretion in favour of the Applicant. Hence, it was prayed that the Application for bail be rejected.

7. I have heard learned counsel appearing for the parties and perused the record with their assistance.

8. The allegations against the Applicant are that he allegedly cut off the Victim's private part while the Co-accused held him. It is true that the nature of the offence is serious and shocking. However, it is equally important to examine the material to assess the Applicant's exact role and the evidence

available in support of the same.

9. The incident, as narrated by the Complainant, appears to have taken place at night under the influence of alcohol. It is not in dispute that the medical history recorded at the time of the Victim's admission shows that the Victim did not recall the details of the incident. This casts some doubt on the clarity of the events, particularly regarding the role played by the Accused.

10. The Applicant has been in custody since 12<sup>th</sup> January 2023, i.e., for more than 3 years. As of today, charges have not been framed, and there is nothing on record to indicate that the trial is likely to commence or conclude in the near future. The prosecution has not brought any convincing material to show that the Applicant is likely to abscond or tamper with the evidence, if released on bail.

11. The Applicant has no criminal antecedents, and nothing adverse has been brought on record regarding his past conduct. It is also not the case of the prosecution that the

Applicant, after the incident, attempted to flee or avoided investigation. The Applicant appears to be a co-worker of the Complainant, and their association seems to have arisen out of their shared employment and residence.

**12.** In such circumstances, continued incarceration of the Applicant would not serve any further purpose. The Applicant has already undergone substantial pre-trial detention. The trial, being at a preliminary stage, may take considerable time. Further, any apprehension of the prosecution can be adequately addressed by imposing stringent conditions.

**13.** Since the Applicant's permanent residence is in the State of Uttar Pradesh, it is necessary to impose certain stringent conditions to ensure his presence during the trial and to avoid any possibility of absconding.

**14.** In view of the above discussion and legal position, the following order is passed:

(a) The Bail Application is allowed.

(b) The Applicant, shall be released on bail in

connection with Crime Register No. I-29 of 2023 registered with Manpada Police Station for offences punishable under Sections 307, 201 read with 34 of the IPC, upon furnishing a Personal Bond of ₹25,000/- (Rupees Twenty-Five Thousand only) along with one or more solvent sureties in the like amount, to the satisfaction of the learned Trial Court, subject to the following conditions:

(c) The Applicant shall not tamper with evidence, or directly or indirectly contact, influence, threaten, or intimidate any witness.

(d) The Applicant shall attend all proceedings before the Trial Court regularly, unless exempted by the Court on valid grounds supported by sufficient cause.

(e) The Applicant shall report to the Manpada Police Station, twice in a month, i.e., on the 1st and 15th day of every month between 10.00 a.m. and 12.00 noon, until further orders.

(f) The Applicant shall not, in any manner, contact the victim or his family members, directly or indirectly.

(g) The Applicant shall not leave the territorial jurisdiction of the Trial Court without its prior written permission.

(h) The Applicant shall not commit any offence or engage in any criminal activity during the pendency of the trial.

(i) The Applicant shall, at the time of furnishing surety, provide his current residential address and mobile number to the Investigating Officer as well as the Trial Court, and shall inform the Court in writing of any change in residence or contact details during the pendency of the case.

15. The Bail Application stands disposed of in above terms.

16. 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)

Digitally  
signed by  
SHAMBHAVI  
NILESH  
SHIVGAN  
Date:  
2026.02.17  
11:11:16  
+0530