

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3665 OF 2025

Samir C. Biswas ...Applicant
V/s.
The State of Maharashtra ...Respondent.

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Mr. Nagesh Khedkar a/w. Mr. Prashant Gatkul for the Applicant.
Mr. S.R. Agarkar, APP for the Respondent/State.
HC Vijay S. Marne, Haveli Police Station, Pune Rural is present.

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CORAM : N.R. BORKAR, J.
DATE : 02.02.2026.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.238 of 2022 registered at Haveli Police Station, Pune Rural for the offence punishable under Section 302 of the Indian Penal Code.
3. The deceased and the applicant were working as a waiter and cook respectively in the hotel owned by the first informant. It is alleged that on the date of incident which took place on 30th October 2022, on account of some trivial issue, dispute arose between the applicant and the deceased, and during the said dispute, the present applicant assaulted the deceased by iron rod and committed his murder.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State.
5. Learned counsel for the applicant submits that the case is based on circumstantial evidence. It is submitted that the applicant is in jail for more than 3 years and there is no progress

in the trial except framing of charge.

6. On the other hand, learned APP for the respondent/State submits that the applicant is involved in serious crime of murder. It is submitted that there is enough incriminating material against the applicant including his extra judicial confession. It is submitted that considering the nature of crime, the applicant may not be released on bail.

7. I have perused the charge-sheet. The case is based on circumstantial evidence. The applicant is in jail for more than 3 years. The trial is not likely to be concluded in the future as it has not yet commenced. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. 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. 238 of 2022 registered at Haveli Police Station, Pune Rural for the offence punishable under Section 302 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) 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 first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]