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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3797 OF 2025

Arjun Ananda More	...Applicant
V/s.	
State of Maharashtra	...Respondent

Mr.Kunal Aher with Mr.Gaurish N. Satpute for the Applicant.

Mr.Shailesh S. Ghag, APP for the State – Respondent.

Mr.Bhalchandra Andurlekar, PSI, Vishnunagar Police Station present in Court.

CORAM : R.M. JOSHI, J.
DATE : 6TH MARCH, 2026.

P.C. :-

1. The Applicant seeks bail in connection with Crime No.162 of 2022 registered with Vishnunagar Police Station for the offence punishable under Section 302 of IPC.
2. It is the case of the prosecution that on 13th June, 2022, when the police personnel were patrolling

near the spot of the incident, dead body of one male was found. He had sustained head injuries. Offence came to be registered against the Applicant. During the investigation, statement of eye witness to the incident came to be recorded. On the basis of his statement as well as recovery of the cloths of the accused, his involvement in the crime was asserted. On conclusion of the investigation, chargesheet came to be filed against him. He was arrested on 14th June, 2022 and since then he in jail.

3. Learned counsel for the Applicant submits that even if the case of the prosecution is accepted as it is, it cannot be said that this is an offence punishable under Section 302 of IPC. He drew the attention of the Court to the statement of the eye witness to the incident, which according to him indicates that in the spur of the moment the assault was caused, which was unintentional and in any case, it cannot be considered to be a murder. It is claimed that the Applicant has no

criminal history and is not likely to abscond.

4. Learned APP opposes this Application by citing seriousness of the crime. It is his submission that there is evidence to show the involvement of the Applicant in the crime as assailant.

5. *Prima-facie*, perusal of the record indicates that there was no motive for the Applicant to commit murder of the deceased. This appears more so from the statement of the eye witness. He states about quarrel being occurred between the Applicant and the deceased after they had been together. In the said quarrel, two blows were given on the head with the wooden plank, which was there at the spot. Pertinently after the incident of quarrel as well as assault, all three i.e. assailant, the injured and the eye witness slept there. In the morning eye witness left the said place while the Applicant and the injured were still sleeping. These events as seen from the statement of the eye witness clearly indicate that there is substance in the contention

of the learned counsel for the Applicant that this case may not be covered by Section 302 of IPC. The Applicant has no criminal history and he is not likely to free from justice. He is in jail since 14th June, 2022. The trial is not likely to get over in short period of time. Hence the order :

ORDER :

- a). The Application stands allowed in connection with Crime No.162 of 2022 registered with Vishnunagar Police Station.
- b). The Applicant be enlarged on bail on furnishing PR bond of Rs.15,000/- with one solvent surety in the like amount to the satisfaction of the Trial Court.
- c). The Applicant not to cause interference in the evidence of the prosecution in any manner whatsoever.
- d) The Applicant to attend the proceedings before the Trial Court on each date of hearing, except exempted by the Trial Court by passing specific order.

(R.M. JOSHI, J.)