

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3936 OF 2025**

Sunil Ramashray Maurya	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. S. S. Sawalkar a/w Adira Tandan, *for the Applicant.*
Mr. Mayur S. Sonavane, *APP for the Respondent - State.*
PSI – Mane, Kalyan Taluka Police Station, Thane, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 14TH JANUARY 2026

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R. No. 245 of 2023 registered with the Kalyan Police Station, for the offences punishable under Sections 120B, 302 and 201 read with Section 34 of the Indian Penal Code, 1860 (for short '**IPC**').

2. The facts of the case, in brief, are that Sachin (the deceased) was married to co-accused Nanda. It is alleged by the prosecution that Nanda had an illicit relationship with the

present Applicant i.e. Sunil Ramashray Maurya. On 7th April, 2023, Nanda lodged a report to the effect that on 6th April, 2023, after she and her husband (now deceased) returned to the shop, her husband asked her to shut the shop and went to the market in search for a shop premises on ownership basis. He did not return till the next morning. She thus tried to trace him but there was no information about his whereabouts, then she filed a missing report. The relatives of the deceased and the present Applicant, who were employed in the shop of the deceased and others went in search of the deceased. Wagon-R car of the deceased was located near Dahagaon road. Its number plates were missing. During the investigation the Applicant gave evasive answers, hence, the police was suspicious of the role of the said offence as they realised that there was a relationship between the present Applicant and the co-accused Nanda i.e. the wife of the deceased-Sachin. The statements of the relatives were also recorded. It transpired that near Delhi Public School the present Applicant strangled the deceased by means of *dupatta* which

belonged to Nanda. A complaint was made by the relatives of the deceased pursuant to which the FIR was registered and the Applicant came to be arrested on 11th March, 2023. There are in all four accused involved in the present case. Three of them have already been enlarged on bail.

3. The Applicant made an application seeking bail before the Additional Sessions Judge, Kalyan, however, by order dated 2nd September, 2025 the said application was rejected. Hence, the Applicant has filed the present Bail Application for the reliefs as prayed.

4. Mr. S. S. Sawalkar, learned counsel for the Applicant, at the outset, submits that the co-accused, wife of the deceased namely, Nanda has already been enlarged on bail. The role attributed to the present Applicant is identical to that co-accused and it is alleged that both of them have conspired to murder the deceased since he became aware of their relationship. He submits that the charge-sheet has been filed and the Applicant has suffered more than 3 years of

incarceration. In these circumstances, he prays that the Applicant be released on bail.

5. Mr. Mayur Sonavane, learned APP representing the State, submits that the offence is serious. The statements of witnesses indicate that there was a conspiracy between the Applicant and the co-accused Nanda, to murder the deceased. He submits that the maximum sentence prescribed for the offence alleged is life imprisonment and as such three years' incarceration cannot be termed as long incarceration. He thus prays that the Bail Application be rejected.

6. I have heard learned counsel for the respective parties and perused the record of the case with their assistance.

7. Undoubtedly, the offence is serious. There are statements of witnesses alleging the role of both Nanda and the present Applicant in the alleged offence. However, by order dated 10th April, 2024, a Co-ordinate Bench of this

Court after discussing the entire aspects of the present case has enlarged the co-accused Nanda on bail. Considering the role attributed to the co-accused Nanda is identical to that of the present Applicant, I am inclined to enlarge the Applicant on bail. In any event the Applicant has suffered incarceration for about three years without the charges being framed.

8. 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.;

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 India, 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; and

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

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

10. 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)