

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

BAIL APPLICATION NO. 3981 OF 2025

Laxman Kumar GainDRAM Yadav Applicant

V/s.

The State of Maharashtra ...Respondent

Ms. Keral Mehta for the Applicant.

Ms. Veera Shinde, APP for the Respondent – State.

Mr. S.D. Palve, API, Manpada Police Station, present.

CORAM: SHYAM C. CHANDAK, J.

DATED : 16th JUNE, 2026

1) Present Application, received from Jail, seeking release of the Applicant on bail in C.R.No.I-410/2017 registered with Manpada Police Station, Thane for commission of the offence punishable under Section 302 of I.P.C., on the report filed by Mr. Ravindra Ramesh Patil, the first informant.

2) Heard Ms. Mehta, learned Counsel for the Applicant and Ms. Shinde, learned APP for Respondent – State.

3) The prosecution case is that the Applicant and the deceased Manharan Kumar Motiram Verma were working in the same Company. The deceased used to regularly visit at the residence of the Applicant. Sometimes prior to the incident, love relations were established between the deceased and sister-in-law of the Applicant. It was objected to by the in-laws of the Applicant. The Applicant used to give an understanding to the deceased to discontinue the said relationship. However, the deceased used to

ignore it. Therefore, on 16/07/2017, the Applicant electrocuted the deceased and caused his death.

4) Ms. Mehta, learned Counsel for the Applicant submitted that except the circumstance of last seen together, there is no other circumstance against the Applicant. The statements of the witnesses thereby alleging the love relations between the deceased and sister-in-law of the Applicant leading to dispute between the deceased and the Applicant, are hearsay in nature. As such, there is no sufficient evidence against the Applicant to hold that the Applicant has committed the murder. Therefore, he may be released on bail.

5) Learned APP submitted that the circumstantial evidence on record clearly indicates that the Applicant and the deceased were last seen together and immediately on the next day, the deceased was found murdered. The love relationship between the deceased and the Applicant's sister-in-law served as motive for the crime. The deceased was murdered in a heinous manner. Therefore, the Applicant is not entitled for bail.

6) I have considered these submissions. Record indicates that the Applicant and the deceased were last seen together on 16/07/2017, at about 5:30 pm to 6:00 pm, at the place where the murder was committed. The victim was murdered by giving electric shock. However, there is no material on record to show that any witness had seen the deceased and the sister-in-law of the Applicant together and in such a situation, thereby indicating that the two were in love relationship. As such, whether the Applicant had motive to commit the present crime or not, is a question of trial. Thus, except the last seen circumstance, there is

no other circumstance against the Applicant. The Applicant has been behind bars for last more than 9 years. The charge was framed in the year 2022. Ms. Shinde, learned APP informs that, so far, only 7 prosecution witnesses have been examined and the prosecution is going to examine 10 more witnesses. Considering the pace at which the trial is progressing, the prosecution may take a year or two to examine the remaining witnesses and conclude the trial. It is trite that if the right of the accused to have a speedy trial as enshrined under Article 21 of the Constitution of India is infringed, then the Court must consider the plea for bail appropriately.

7) In the wake of above, the Applicant is entitled for bail. Hence, following Order :-

(i) The Applicant – Laxman Kumar Gaindram Yadav be released on bail in C.R.No.I-410/2017 registered with Manpada Police Station, Thane for commission of the offences punishable under Section 302 of IPC, on his executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(ii) The Applicant shall mark his attendance at Manpada Police Station, Thane on 1st date of each calendar month between 11:00 a.m. to 2:00 p.m. till conclusion of the trial.

(iii) The Applicant shall regularly attend the proceedings before the jurisdictional Court unless exempted by the said Court, for the reasons to be recorded in writing.

(iv) The Applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence upon

the prosecution witnesses to prevent them from deposing against him.

(v) On being released from jail, the Applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(vi) By way of abundant caution, it is clarified that the observations made hereinabove are confined for the purpose of determination to the entitlement for bail and they may not be construed as an expression of opinion on the guilt or otherwise of the Applicant and the trial Court shall not be influenced by any of the observations made hereinabove.

8) As requested by the learned Counsel Ms. Keral Mehta, the Applicant is granted eight weeks time to furnish surety. Till then, the Applicant be released on bail on his executing P.R. Bond in the sum of Rs.25,000/- and depositing a sum of Rs.25,000/- in lieu of furnishing the surety bond.

At the end of said period of eight weeks, the Applicant shall furnish surety. On furnishing such surety, the amount of Rs.25,000/- deposited by the Applicant, shall be returned.

9) Bail Applications stand disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)

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