

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

CRIMINAL BAIL APPLICATION NO. 4078 OF 2025

Pravin Dharmaji Patil

...Applicant

VERSUS

The State of Maharashtra

...Respondent

....

Mr. Vipul Dushing a/w Mr. Tanmay Kate a/w Mr. Ashish S., i/b
Siddheshwar Khawle, Advocate for the Applicant.

Mr. P. H. Gaikwad, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 16.02.2026.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 53 of 2022 registered at Lonavala Rural Police Station, for the offences punishable under Sections 302, 307, 324, 323, 504 read with 34 of the Indian Penal Code and Sections 4(25), 27 & 35 of the Arms Act.
3. It is the case of the prosecution that on the date of incident, which took place on 09.04.2022, on account of theft of mobile phone, an altercation took place between the first informant and the deceased on one side

and the present applicant and other co-accused on the other side. It is alleged that during the said altercation, the present applicant and other co-accused assaulted the deceased by stick and some sharp weapon and committed his murder.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant has drawn my attention to the order passed by this Court dated 04.03.2025 in Criminal Bail Application No. 3220 of 2024 by which the applicant was allowed to withdraw his earlier application for bail and permitted to file fresh application after six months. The learned counsel for the applicant submits that the applicant is in jail for about four years. It is submitted that the incident was not premeditated. It is further submitted that all other co-accused are released on bail.

6. On the other hand, the learned APP for the Respondent/State submits that the trial has commenced and the prosecution has already examined seven witnesses. It is submitted that at this stage the present bail application may not be entertained.

7. The fact that the applicant is in jail for about four years is not disputed. *Prima-facie*, the incident does not appear to be premeditated. 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 Crime No. 53 of 2022 registered at Lonavala Rural Police Station, for the offences punishable under Sections 302, 307, 324, 323, 504 read with 34 of the Indian Penal Code and Sections 4(25), 27 & 35 of the Arms Act, 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.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)