

Shivgan

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4840 OF 2025**

Satish Rajnaravan Dubey ...Applicant
Versus
State Of Maharashtra ...Respondent

Mr. Aniket Vagal, *with Juhi Kadu and Savvy Kolhekar, for the Applicant.*

Ms. Poonam P. Bhosale, *APP for the State-Respondent.*

CORAM DR. NEELA GOKHALE, J.
DATED: 07th JANUARY 2026

PC:-

1. The Registry has not placed papers of the matter before this Court hence, I am unable to hear the parties. Only to avoid inconvenience to the parties, I have taken soft copy of the matter from the learned counsel appearing for the Applicant and proceeded to hear the matter.

2. The Applicant seeks his release on bail in connection with the FIR No.819 of 2022 dated 24th October 2022 registered with the Manpada Police Station, Thane for the

offence punishable under Section 302 of the Indian Penal Code, 1860 ('IPC').

3. The case of the prosecution, in brief, is that the deceased is the son of the First Informant. The Applicant, who is brother of the First Informant, was living in her house. On the fateful day, i.e., on 23rd October 2022 at about 10.30 p.m., there was a quarrel between the Applicant, his sister (First Informant) and the deceased. The Applicant came home and started abusing the First Informant's husband, who is the father of the deceased. There was a verbal quarrel, which led to a physical altercation between the parties. In the said altercation and in the heat of the moment, it is alleged that the Applicant took a kitchen knife; stabbed the deceased and ran away. However, the deceased in an injured condition, ran after the Applicant. Having exerted his energies, the deceased fell down unconscious on the stair-case. Thereafter, the deceased was taken to a hospital for treatment where he succumbed to his injuries. The First Informant lodged the

complaint, pursuant to which the FIR was registered. The Applicant was arrested on 24th October 2022 itself.

4. The Applicant made an application seeking bail before the Additional Sessions Judge, Kalyan, however, by order dated 4th December 2025, his bail application was rejected. Hence, the Applicant is before this Court for the reliefs as prayed.

5. Mr. Aniket Vagal, learned counsel appearing for the Applicant, submits that the Applicant is innocent and is falsely implicated in the offence. He further submits that without prejudice to his defence, there was no pre-determined plan and no prior meeting of mind to kill the deceased Yash. He also submits that the alleged incident has occurred pursuant to a family dispute between the deceased, the Applicant and the deceased's parents. The weapon of the crime was a kitchen knife, which clearly indicates that there was no pre-meditated plan to commit the alleged offence. Additionally, he submits that the Applicant is in custody since October 2022

and the charges have been framed recently and as such, the trial is not likely to conclude in a near future. Hence, he submits that the Applicant be released on bail.

6. Ms. Poonam Bhosale, learned APP representing the State in the matter, has contested the Bail Application. She submits that the offence is under Section 302 of the IPC and the maximum punishment for the offence is death penalty and as such, there is no long incarceration of the Applicant. She fairly submits that *albeit, the* weapon of murder being a kitchen knife, the force of the Applicant's action was such that he was able to stab the deceased fatally and inflict the wound. She thus, submits that there is no question of false implication of the Applicant in the present matter and there are many eye witnesses, whose statements are recorded. The Post-mortem report also clearly demonstrates that the cause of death was by stabbing. She thus, contests the Bail Application and prays that the same be rejected.

7. I have heard learned counsel appearing for the respective parties and perused the record with their assistance.

8. Admittedly, the physical altercation arose out of a domestic spat between the family members at home. The weapon of the crime was also a kitchen knife, which also demonstrates that there was no pre-meditated motive or plan to commit the alleged offence. Considering that the Applicant is in custody since 24th October 2022 and the trial is not likely to conclude in the foreseeable future, 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 on first Monday between 11:00 a.m. to 02:00 p.m. till the charges are framed;

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;

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)