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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.369/2015

Rama Narayan Dhotre.

...Applicant..

Versus

The State of Maharashtra.

...Respondent...

.....

Shri S.S. Rathi, Advocate for applicant.

Shri S.G. Sangle, APP for respondent.

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CORAM: M.T. JOSHI, J.

DATE: 10.02.2015

ORDER :

1] Heard both the sides.

2] Present applicant who is arrested by Jintur Police Station in connection with the offences punishable u/ss. 302, 201, 120(B) and 120(A) of the Indian Penal Code, is praying for his release on bail.

3] Applicant's earlier bail application i.e. Criminal Application No.5470/2014 was allowed to be withdrawn by this Court vide order dated 31.10.2014 with liberty to file similar application in case the trial is not

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concluded within a period of six months or in case the C.A. report is received, then after the C.A. report will be available. Now the C.A. report has reached and, therefore, the present application.

4] In nut-shell, the allegations are that the present applicant along with other co-accused were hired for killing the wife of accused no.1 Vilas namely Sunita as he had illicit relations with some other lady named Durga. A show of robbery was made in which the deceased lady Sunita was done to death while her husband was set free by the present applicant as well as the co-accused.

5] Upon hearing both the sides, it is found that the case is based on circumstantial evidence on the basis of recovery of blood stained clothes at the behest of the applicant and certain ornaments are said to have been kept with one prostitute - Pushpa by the applicant along with the co-accused. It is also a fact that the said co-accused namely Shaikh Ismail @ Yusuf @ Issaya has already been released on bail by Extra Joint Adhoc Additional Sessions Judge, Parbhani. The present applicant also filed application lateron in the Sessions Court. It, however, was heard by another Judge i.e. Additional

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Sessions Judge, Parbhani and the same was dismissed.

6] It was further pointed out that the C.A. report would show that the analysis of the same is inconclusive as regards the clothes of the present applicant.

7] Considering all these facts, in my view, the present applicant can also be released on bail.

8] The applicant be released on bail upon execution of P.R. Bond in the amount of Rs.20,000/- and also upon executing surety in the like amount. The applicant shall not attempt to tamper the prosecution witnesses or evidence in any manner. The application is disposed of accordingly.

(M.T. JOSHI, J.)