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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 790 OF 2015

Ramesh Shankarrao Gujalwad
Age-35 years, Occ-Labour
R/o Medankallur, Taluka-Degloor,
District - Nanded

APPLICANT

VERSUS

The State of Maharashtra

RESPONDENT

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Mr. S. B. Bhapkar, Advocate for the applicant
Mr. A. V. Deshmukh, APP for respondent State

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[CORAM : T.V.NALAWADE, J.]

DATE: 2nd MARCH, 2015

ORDER:

1. The application is filed for bail. Both the sides are heard.
This Court has perused the papers of investigation.

2. The crime is registered on the basis of a report given by widow of the deceased. It appears that accused Maruti Gujalwad had suspicion against the deceased Raju that he had illicit relations with wife of Maruti. The incident in question took place out of the suspicion on 29th August, 2014 in village Medankallur, Taluka – Degloor. This incident was witnessed by persons living

in that locality. According to them, at about 7.00 pm on that day, when they heard noise of quarrel, they came out and noticed that a quarrel was going on between Raju on one side and present applicant, Maruti and Pappu on the other. They noticed that Maruti was trying to strangulate Raju by using handkerchief. When they rushed and tried to intervene, Maruti gave threat to them and said that Raju had destroyed his family life. Then Maruti took out knife and gave blows of the knife on chest of Raju. When Raju collapsed, he was virtually thrown on the road side drainage channel.

3. Circumstantial evidence and other material like recovery of knife and cloth etc. is against Maruti. Witnesses have stated that present applicant was also present at the spot at the relevant time. This Court has carefully perused the Postmortem report. The death is caused due to three stab injuries, which cut the heart. No other injury was found on the dead body. It was submitted that the applicant has been behind bars for about seven months. It is not certain as to how much time will be required for disposal of the case. It is submitted that this is the first application of the applicant for bail in this Court. In the circumstances, this Court holds that bail needs to be granted to the applicant.

4. In the result, the application is allowed. The applicant be released on bail on his furnishing PR and SB of Rs.15,000/-. The applicant not to tamper with the prosecution witness and not to enter village Medankallur till disposal of the case.

[T.V.NALAWADE, J.]

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