

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1154 OF 2015

Raju S/o Dhulsing Kahite
Age : 25 years, Occu.: Agri.,
R/o : Lalwadi, Tq. Dist. Aurangabad .. Applicant

Vs.

The State of Maharashtra .. Respondent

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Mr. Rajendra Chavan, Advocate i/b. Mr. Vijay Sharma,
Advocate for the applicant
Mr. V.P. Kadam, A.P.P. for the respondent-State

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CORAM : M.T. JOSHI, J.

DATED : 17/03/2015

ORAL ORDER :

1. Heard both sides.
2. The present applicant, who is arrested by Karmad Police Station, Dist. Aurangabad in Crime no.I-147 of 2013 for the offences punishable under section 302 r/w. 34 of the Indian Penal Code, is praying for his release on bail.
3. His earlier application filed alongwith the

co-accused – Dhulsing bearing Criminal Application no. 1662 of 2014 was allowed to be withdrawn by this Court on 11/07/2014 with liberty to move this Court after a period of six months in case the trial is not concluded within that period. Since the trial is not concluded within the said period, the present application is filed.

4. The arguments from both sides would show that father of the present applicant – Dhulsing is now released on bail in view of the order of this Court passed in Criminal Application no. 593 of 2015 dated 16/02/2015. The record and papers would show that on same set of facts, the present applicant is also being tried.

5. Learned A.P.P. submits that one of the criterion of releasing co-accused – Dhulsing on bail was that, he was 60 years old, while the present applicant is a young man i.e. son of the said co-accused.

6. Considering the fact that the case is based on circumstantial evidence and the same was also one of the reason to release co-accused - Dhulsing on bail, hence, same order is passed.

I) The Application is allowed.

II) The applicant be released on bail in Crime no.I-147 of 2013 registered with Karmad Police Station, Dist. Aurangabad for the offences punishable under section 302 r/w. 34 of the Indian Penal Code, upon his executing P.R. bond in the sum of Rs.20,000/- (Rs. Twenty Thousand) and also upon furnishing surety in the like amount.

III) The applicant shall not in any way attempt to influence the prosecution witnesses in any manner.

7. Criminal Application accordingly stands disposed of.

[M.T. JOSHI]
JUDGE

arp/-