

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3303 OF 2015

Bhagwan Santu Chavan,
Age 48 years, Occu.: Agri.,
R/o Rede, Tq. Akole,
Dist. Ahmednagar .. Applicant

Vs.

The State of Maharashtra .. Respondent

.....
Mr. R.K. Temkar, Advocate for the applicant
Mr. S.R. Palnitkar, APP for the respondent-State
.....

CORAM : M.T. JOSHI, J.
DATED : 14/08/2015

ORAL ORDER :

. Heard both sides.

2. The present applicant, who is arrested by Rajur Police Station, Taluka - Akole, Dist. Ahmednagar in Crime no. I-41 of 2014 for the offences punishable under section 302, 201, 120-B of the Indian Penal Code, is praying for his release on bail.

3. His earlier application bearing Criminal Application no.5939 of 2014 was allowed to be withdrawn by this Court on 18/11/2014 with liberty to file similar application after a period of six months.

4. The submissions from both sides would show that the case is based on circumstantial evidence.

5. The allegations against the present applicant is that he has caused the death of the deceased on the say of the father of the deceased.

. The case is based on circumstantial evidence and more particularly, the call details records. Even those call details records were not filed by the Investigating Officer with the chargesheet and only after persuasion by this Court, those call details records are filed in this Court. Merely the statements are recorded regarding the

said call details records by the Investigating Officer.

6. Considering the fact that the present applicant is behind the bar since 12/07/2014 and the report of the concerned Sessions court would show that some of the accused are absconding, and those could not be traced by the Police despite issuing proclamation, the trial may take its own time. In the circumstances, the following order:-

7. The Application is allowed.

8. The applicant be released on bail in Crime no.I-41 of 2014 registered with Rajur Police Station, Taluka - Akole, Dist. Ahmednagar for the offences punishable under section 302, 201, 120-B of the Indian Penal Code, upon his executing P.R. bond in the sum of Rs.30,000/- (Rs. Thirty Thousand) and also upon furnishing surety in the like amount.

9. The applicant shall not attempt to

influence any of the prosecution witnesses in any manner.

10. Criminal Application stands disposed of accordingly.

[M.T. JOSHI]
JUDGE

arp/-