

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,  
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.4412 OF 2015

Raju s/o Hanmantrao Kanake,  
Age 31 years, Occu. Labourer,  
R/o Kalbala, Block Tanur,  
District Adilabad (A.P.)

..Applicant

Versus

The State of Maharashtra,  
through Police Station,  
Ardhapur, Taluka Ardhapur,  
District Nanded

..Respondent

Mr A.V. Patil (Indrale), Advocate for applicant

**CORAM : N.W. SAMBRE, J.**

**DATE : 2<sup>nd</sup> September 2015**

**PER COURT**

Heard.

2. In Crime No.172/2014, for the offence punishable under Sections 302, 201, 120-B read with Section 34 of the Indian Penal Code registered upon complaint of one Ram Namdeo Karad for committing murder of one Khushalrao. The present applicant is not charged with Section 120-B of the Indian Penal Code. The role attributed to the present applicant, if perused from the charge-sheet is that the applicant is an owner of auto-rickshaw and has participated in the incident of transporting the deceased Khushalrao along with the accused persons to the spot of the incident.

3. Apart from the involvement of participation, there are no other allegations or iota of evidence about involvement of the present

applicant in the crime in question. The fact that the prosecution has not charged the applicant under Section 120-B of the Indian Penal Code speaks voluminous about accusation against the present applicant.

4. In view of the fact that investigation is complete and charge-sheet is filed and in the background of above referred observations, in my opinion, it will be appropriate to release the applicant on bail. Hence, I proceed to pass the following order :

(I) The applicant Raju son of Hanmantrao Kanake be released in Crime No.172/2014, registered at Ardhapur Police Station, District Nanded for the offences punishable under Section 302, 201, 120-B read with Section 34 of the Indian Penal Code, upon furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount.

(II) The applicant shall not tamper with the evidence.

5. Criminal Application stands allowed in above terms.

**( N.W. SAMBRE, J.)**

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