

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 5106 OF 2015

Ashok s/o Tukaram Punekar,
Age : 35 years, Occu. Agri.,
R/o Karmanwadi, Tal. Karjat,
District Ahmednagar

APPLICANT

VERSUS

The State of Maharashtra,
through Police Station Officer,
Karjat Police Station, Taluka
Karjat, District Ahmednagar

RESPONDENT

Mr. Niteen V. Gaware, Advocate for the applicant
Mr. B.A. Shinde, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 09/10/2015

ORAL ORDER :

1. Heard both sides.
2. The present applicant, who is arrested by Karjat Police Station, Taluka Karjat, District Ahmednagar in Crime No. I-209/2015, registered for the offence punishable under section 302 of the I.P. Code, is praying for his release on bail.
. The case is based on circumstantial evidence.
3. The prosecution allegations are that due to the

previous enmity, which had occurred due to the quarrel that took place between the present applicant and the deceased husband of the complainant under the influence of liquor, the present applicant may have committed murder of husband of the complainant by administering him poison 22nd July, 2015.

4. The record would show that both - the present applicant and the deceased husband of the complainant were last seen together. Upon finding of the deadbody of the deceased, the postmortem was carried on the next day of the incident i.e. on 22nd July, 2015. The Medical Officer has suspected the case of poisoning as the internal organs were found congested and froth was coming out of the nostrils.

5. Upon hearing both sides and finding that the chemical analyzer's report does not reveal that any poison was found in the viscera and further finding that the applicant is behind the bars since 14th August, 2015, the applicant deserves to be released on bail. Hence, the following order:-

6. The applicant - Ashok s/o Tukaram Punekar be

released on bail in Crime No. I-209/2015, registered with Karjat Police Station, District Ahmednagar for the offence punishable under section 302 of the I.P. Code, on his executing P.R. bond in the sum of Rs. 20,000/- (rupees twenty thousand) and also upon furnishing surety in the like amount.

. The applicant shall not enter the territorial limits of village Karmanwadi, Taluka Karjat, District Ahmednagar, for a period of two years or till the trial is over, whichever occurs earlier. The applicant shall not attempt to influence any of the prosecution witnesses in any manner.

7. The application is accordingly allowed and disposed of.

[M.T. JOSHI]
JUDGE

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