

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

CRIMINAL APPLICATION NO. 6301 OF 2015

Manoj s/o Baban Satpute,
Age: 26 years, Occ: Agri.,
R/o. Ghatpimpri, Tq. Washi,
Dist. Osmanabad.

...Applicants

versus

The State of Maharashtra,
through Police Station, Washi,
Dist. Osmanabad.

...Respondent

.....
Mr. S. J. Salunke, Advocate for applicants
Mr. A.P. Basarkar, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 17th DECEMBER, 2015

ORAL ORDER :

The applicant is seeking regular bail in connection with Crime No. 139/2015 registered at Washi Police Station, District Osmanabad, for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

2. Perused the F.I.R. and investigation papers. It is to be noted that the charge sheet is already filed in the matter.

3. It is the case of prosecution that the applicant has assaulted one Rahimoddin, while he visited Dhaba where,

Rahimoddin was working as Cook.

4. The alleged incident took place on 04/08/2015. Refusal to serve food has resulted into altercations and as such, the applicant herein has slapped said Rahimoddin, as a consequences, he felled on the cement structure, resulting into his death. From the perusal of investigation papers, *prima facie*, it cannot be gathered that it was the intention of applicant to cause death of said Rahimoddin. The investigation in the matter is already over and the charge sheet is filed.

5. It is to be noted that this Court has already released other three accused on 08/09/2015 in Criminal Application No. 4678 of 2015.

6. As the investigation in the matter is already over, detention of the applicant will be of hardly any consequences in the matter.

7. In view of above, in my opinion, it will be appropriate, to order the release on bail to the applicant. Hence, I pass following order.

The applicant be released on bail in connection with Crime No 139/2015 registered at Washi Police station, District Osmanabad, for the offence punishable under Sections 302 read with Section 34 of Indian Penal Code, upon furnishing P.R. bond of Rs.20,000/- with one surety in the like amount. The applicant shall not tamper the prosecution evidence.

8. Criminal Application stands allowed in above terms.

[N.W. SAMBRE, J.]

Tupe/17.12.15