

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1283 OF 2016

- 1] Jalindar S/o Gorakhnath Shinde,
Age : 45 years, Occu.: Contractor,
R/o : Sautada, Tq. Patoda, Dist. Beed
At present residing at Sarwardeola,
Tq. Kasrawad, Dist. Khargaon (M.P.)
- 2] Ashok S/o Bayaji Giri,
Age : 50 years, Occu.: Tailoring,
R/o : Sautada, Tq. Patoda,
Dist. Beed .. Applicants

Vs.

The State of Maharashtra
Through Police Inspector,
Police Station, Patoda,
Tq. Patoda, Dist. Beed .. Respondent

.....

Mr. V.D. Salunke, Advocate for the applicants
Mr. A.S. Shinde, APP for the respondent-State

.....

CORAM : M.T. JOSHI, J.
DATED : 31/03/2016

ORAL ORDER :

Heard both sides.

2. The present applicants, who are arrested by
Patoda Police Station, Tq. Patoda Dist. Beed in Crime
no. 184 of 2015 for the offences punishable under

section 302, 201, 364 r/w. 34 of the Indian Penal Code, are praying for their release on bail.

3. Hearing from both sides would show that the case is based on circumstantial evidence. Learned counsel for the applicants took me through the record to show that different versions regarding the only circumstance of last seen together are made out by different witnesses. He submits that even the said circumstance of last seen together is not made out. The present applicants are arrested on 21/10/2015 only on suspicion, the trial may take its own time.

4. On the other hand, learned A.P.P. opposed the application. He submits that in a theater, the present applicants as well as the deceased were seen together.

5. Upon hearing both sides and upon considering all the material on record and finding that the trial may take its own time, the application is allowed on the following conditions.

6. The applicants be released on bail in Crime no. 184 of 2015 registered with Patoda Police Station, Tq. Patoda, Dist. Beed for the offences punishable under section 302, 201, 364 r/w. 34 of the Indian Penal Code, upon their executing P.R. bonds in the sum of Rs.15,000/- (Rs. Fifteen Thousand) each and also upon furnishing surety each in the like amount.

7. The applicants shall not enter the territorial limits of village Sautada, Tq. Patoda, Dist. Beed for a period of two (2) years or till the trial is concluded, whichever occurs earlier, without the prior permission of the concerned Sessions Court.

8. Application stands disposed of accordingly.

[M.T. JOSHI]
JUDGE

arp/-