

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1654 OF 2016

Satyawan s/o Bibhishan Salave,
Age : 43 years, Occu. Agri.,
R/o Amrutwadi, Tq. Tuljapur,
District Osmanabad

APPLICANT

VERSUS

1. The State of Maharashtra,
through the Secretary,
Home Department,
Mantralaya, Mumabi
2. The Superintendent of Police,
Osmanabad, Dist. Osmanabad
3. The Police Station, Tuljapur,
through its Police Inspector,
Tuljapur, Tq. Tuljapur,
District Osmanabad

RESPONDENTS

Mr. Krishna K. Kulkarni, Advocate for the applicant
Mr. A.S. Shinde, A.P.P. for the respondents-State

CORAM : M.T. JOSHI, J.
DATE : 02/04/2016

ORAL ORDER :

1. Heard both sides.
2. Learned counsel for the applicant filed on record the copy of the chargesheet, which is accepted on record and marked "X" for the purpose of identification.

3. The present applicant who is arrested by Tuljapur Police Station, District Osmanabad in Crime No. 27/2016, registered for the offences punishable under section 201, 302 read with section 34 of the Indian Penal Code and under section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, is praying for his release on bail.

4. The applicant was arrested on 25th January, 2016.

5. The reading of the case-papers and the submissions from both sides would show that the complaint regarding death of one Deepak Babasaheb Dhale was filed by his brother on the basis of the information received by one of the eye witnesses Prakash Bhagwan Shinde that some people from his village were beating said Deepak. Deceased Deepak had enmity with Arvind Bhosale and his son as he had love affair with Archana, the daughter of said Arvind Bhosale.

. In the circumstances, as said Deepak has died, the complainant has alleged that over the said love

affair which was not liked by the family members, in all six persons, including the present applicant have caused the death of said Deepak.

6. Lateron, the investigating officer has recorded the statements of eye witness Amol Ashok Salve and Prakash Bhagwat Shinde, which would show that the assault was caused by other named accused and the statements would show that the present applicant even was not present at the spot.

7. Considering the overall facts on record, in my view, the applicant deserves to be released on bail. Hence, the following order.

8. The applicant be released on bail in Crime No. 27/2016, registered with Tuljapur Police Station, District Osmanabad for the offences punishable under section 201, 302 read with section 34 of the Indian Penal Code and under section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, on his executing P.R. bond in the sum of Rs. 15,000/- (rupees fifteen thousand) and also upon furnishing surety in the like amount.

9. The present application is accordingly allowed and disposed of.

[M.T. JOSHI]
JUDGE

npj/CRIAPLN1654-2016