

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2870 OF 2016

- 1] Mohan Janglu Jagtap,
Age : 59 years, Occu.: Labour
- 2] Nilesh Mohan Jagtap,
Age : 35 years, Occu.: Labour
- 3] Ganesh Mohan Jagtap,
Age : 29 years, Occu.: Labour

All R/o. Mohadi, Taluka and
District Dhule

.. Applicants
[Orig. Accused]

Vs.

The State of Maharashtra
Through Mohadi Police Station,
Taluka and District Dhule

.. Respondent

.....

Mr. Amol S. Sawant, Advocate for the applicants
Mr. S.J. Salgare, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.
DATED : 08/06/2016

ORAL ORDER :

Heard.

2. The applicants are seeking regular bail in
crime no. 1 of 2016 registered at Mohadi Nagar

Police Station, Dist. Dhule for the offences punishable under section 302 r/w. 34 of the Indian Penal Code.

3. The investigation in the matter is complete and the chargesheet is already filed. So far as the applicant no.3-Ganesh Mohan Jagtap is concerned, Shri Sawant, learned counsel for the applicants does not press the present application, with liberty to renew the request for grant of regular bail after the report of Chemical Analyzer in relation to recovery of rope from him is received.

4. Criminal Application is dismissed as regards applicant no.3 – Ganesh Mohan Jagtap with the above liberty.

5. So far as applicant no.1 – Mohan and applicant no.2 – Nilesh are concerned, Nilesh s/o Mohan Jagtap was married to Urmila, daughter of the deceased. The deceased being unhappy with the marriage, under the influence of liquor, regularly

used to abuse the family members of the applicants.

6. This appears to be the basis for commission of the crime and the motive.

7. So far as the role attributed to the applicant nos.1 and 2 is concerned, in the investigation papers, it is stated that applicant no.1 has slapped the deceased prior to the incident, however, there is no motive attributed against him so as to kill the deceased.

8. Apart from above, there are no criminal antecedents and there is hardly any likelihood that these applicants will run away from the prosecution.

9. In view of above, in my opinion, no fruitful purpose would be served by detaining applicant nos. 1 and 2. Hence, the Criminal Application is allowed as regards applicant no.1 and applicant no.2.

10. Applicant no.1 – Mohan Janglu Jagtap and applicant no.2 – Nilesh Mohan Jagtap be released on bail in Crime no. 1 of 2016 registered with Mohadi Nagar Police Station, Dist. Dhule for the offences punishable under section 302 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 with one surety each in the like amount. These applicants shall not tamper with the prosecution evidence in any manner.

11. Criminal Application stands disposed of accordingly.

Sd/-
[N.W. SAMBRE]
JUDGE

arp/-