

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

CRIMINAL APPLICATION NO.2974 OF 2016

Lahu @ Gorya s/o Jairam Dhole,
Age: 22 years, Occ: Labour,
R/o. Ganeshwadi, Tq. Himayatnagar,
Dist. Nanded.

...Applicant

versus

The State of Maharashtra
through P.S. Himayatnagar,
Tq. Himayatnagar, Dist. Nanded.

...Respondent

.....
Mr. G.P. Shinde, Advocate for applicant
Ms. R.P. Gour, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 1st JULY, 2016

ORAL ORDER :

The applicant is seeking regular bail in Crime No. 03 of 2016 registered with Himayatnagar Police Station, District Nanded for an offence punishable under Sections 302 of Indian Penal Code, pursuant to alleged incident dated 08/01/2016, for which he was arrested on 10/01/2016.

2. The investigation in the matter is complete and charge sheet is already filed.

3. Upon perusal of the contents of the first information report and other investigation papers, an offence *prima facie* appears to be of culpable homicide not amounting to murder.

4. Looking to the nature of weapon used in the commission of crime and earlier differences between parties, motive cannot be attributed to the applicant, of causing murder of deceased.

5. In view of above, in my opinion, the applicant is entitled to be released on bail. Hence, the following order:-

(i) The applicant be released on bail, in connection with Crime No. 03 of 2016 registered with Himayatnagar Police Station, District Nanded for an offence punishable under Sections 302 of Indian Penal Code, upon furnishing P.R. bond of Rs.15,000/- with one surety in the like amount.

(ii) The applicant shall not tamper with the prosecution evidence or influence the prosecution witnesses.

(iii) The applicant shall attend the trial regularly and co-operate the Court below in disposal and shall not protract the same by seeking adjournments. Learned Sessions Judge will be at liberty

to proceed ahead for cancellation of bail, if so desire, in case if the conditions of bail are jumped.

s6. The application stands allowed in above terms.

[N.W. SAMBRE, J.]

Tupe/