

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3787 OF 2016

- 1] Ranjit Vitthal Bondre,
Age : 45 years, Occupation : Agriculture,
R/o : Shiblapur, Tq. : Sangamner,
District : Ahmednagar
- 2] Sakharam Haushiram Amle,
Age : 29 years, Occupation : Agriculture,
R/o Shedgaon, Tq : Sangamner,
District : Ahmednagar
- 3] Santosh Karbhari Sanap,
Age : 32 years, Occupation : Agriculture,
R/o Sonoshi, Tq : Sangamner,
District : Ahmednagar
- 4] Suresh Karbhari Sanap,
Age : 30 years, Occupation : Agriculture,
R/o : Rambai Ambedkar Nagar,
Ghatkopar, Mumbai
- 5] Sangita Eknath Amle,
Age : 38 years, Occupation : Household,
R/o : Rambai Ambedkar Nagar,
Ghatkopar, Mumbai .. Applicants

Vs.

The State of Maharashtra .. Respondent

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Mr. Joydeep Chatterji, Advocate for the applicants
 Mr. S.Y. Mahajan, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.
DATE : 11/08/2016

ORAL ORDER :

Heard.

2. The applicants are seeking bail in Crime no.I-10 of 2016 registered at Ashvi Police Station, Dist. Ahmednagar for the offences punishable under section 302, 307 and 34 of the Indian Penal Code.

3. It is claimed that the applicant no.5 is sister of applicant nos.3 and 4 and applicant no.2 is cousin of applicant no.5, whereas applicant no.1 is the nephew.

4. It is the case of the prosecution that deceased Eknath was an employee in a school, who had certain financial liability and he was restrained by the applicants from transferring his land, so as to satisfy the said debt. It is out of the revenge that the applicants set him on fire, which incident was witnessed by Ambadas Burkul, nephew of deceased and Tulsabai Amle - mother of deceased, on March 18,

2016 at about 1.00 am in the night.

5. Upon reading of statement of both these witnesses, probability of the incident, particularly, in the statement of nephew of the deceased, who claimed to have witnessed two of the accused, whereas mother of the deceased claimed to have witnessed one of them while committing the offence of setting Eknath on fire, particularly in the dark at about 1.00 am, appears to be improbable.

6. Apart from above, this Court must keep in mind that deceased Eknath was having burden of financial debt and possibility of suicide cannot be ruled out, particularly so as to overcome the financial liability.

7. In my opinion, since the investigation in the matter is already over, the further detention of the applicants is not required.

8. The applicants be released on bail in Crime no.I-10 of 2016 registered at Ashvi Police Station, Dist. Ahmednagar for the offences punishable under section 302, 307 and 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.

9. The applicants shall not tamper with the prosecution evidence or influence the witnesses in any manner.

10. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-