

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 466 OF 2016

Ashok Bajirao Zanjurne

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Mr. A.H.H.Ponda i/b. Mr. Priyal Sarda for the Applicant.
Mrs. Veera Shinde, APP for the Respondent/State.

**CORAM : ANUJA PRABHUDESSAI, J.
DATED : APRIL 04, 2016.
(In Chamber)**

P.C.

1. This is an application filed under Section 439 of Cr.P.C. by the aforesaid applicant who is an accused in Sessions Case No.101 of 2015 for the offence under Section 302, 201 of Indian Penal Code, pending on the file of the Addl. Sessions Judge, Satara.
2. Heard Shri Ponda, learned Counsel for the applicant and the learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective

parties.

3. The case of the prosecution in brief is that on 23.3.2015 at about 7 p.m. a dead body of Suryakant Jagdale was recovered from Golewadi Canal, at Koregaon, Satara. One Sudam Jagdale, uncle of the deceased had lodged FIR against an unknown person for committing murder of said Suryakant Jagdale. In the course of the investigation, the applicant came to be arrested and upon completion of investigation, chargesheet has been filed against the aforesaid applicant for the offences under Section 302, 201 of IPC.

4. The only material against the applicant is the statement of one Sanjay Zanjurne, who has stated that on 21.3.2015 while he was in his house, he had heard the deceased Suryakant Jagdale and the applicant herein quarreling with each other. The statement of this witness does not prima facie indicate that he had seen the applicant in the company of the deceased.

5. The records prima facie reveal that in the course of Investigation, the clothes of the applicant were seized under panchanama dated 29.03.2015. The said clothes were sent to CSFL for examination. The CSFL report dated 4.2.2016 reveals that the

said clothes i.e. banian, half shirt and trousers were not stained with blood. Hence, apart from the statement of witness Sanjay that he had heard the applicant and the deceased quarreling, there is no prima facie material on record to link the applicant with the crime.

6. Considering the above facts and circumstances, in my considered view this is a fit case for grant of bail. Hence the application is allowed on the following terms and conditions:

- i) The applicant be released on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand Only) with one or two solvent sureties in the like amount to the satisfaction of the learned Addl. Sessions Judge, Satara.
- ii) The applicant shall not interfere with the witnesses or tamper with the evidence in any manner.
- iii) The applicant shall report to the Koregaon Police Station on every first Monday of the month till the framing of the chargesheet.

(ANUJA PRABHUDESSAI, J.)