

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1676 OF 2016

Shri Sukadeo Jyotiram Bhosale ...	Applicant
Vs.	
The State of Maharashtra ...	Respondent

Mr. Shailesh D. Chavan, Advocate for the applicant.
Mr. R.M.Pethe, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV, J.
DATE : 29th November, 2016.

P.C.

Heard. This is an application under Section 439 of Cr.P.C. The applicant herein is arrested on 9.2.2016 in Crime No.21 of 2016 registered at Koregaon police Station, District Satara. The investigation is completed and charge sheet is filed on 4.5.2016 for the offence punishable under Section 302 of the Indian Penal Code.

2. It is the case of the prosecution that on 8.2.2016, Yogita Bhosale lodged a report at the police station that there were civil disputes between her father-in-law Jyotiram Bhosale and her brother-in-law Sukhdev Bhosale.

3. On 8.2.2016, Sukhdev was insisting upon his father to partition the land in his favour and to give evidence in his favour in the Civil Suit. That there was a scuffle between Sukhdev and Jyotiram and thereafter Jyotiram had died. After conducting the post-mortem, the cause of death was reserved. On 8.1.2016, the husband of the first informant had lodged a report in respect of the death of his father. At that stage, it was not reported that he has been eliminated by the present applicant. The cause of death was reserved. Thereafter, the Investigating agency had received the death certificate from the Rural Hospital, Koregaon which shows that death was due to myocardial infarction.

4. Upon perusal of the medical certificate, it appears that the deceased was 76 years old. The learned counsel for the applicant submits that at this stage also there is no material to show that Jyotiram had died homicidal death and hence prays for enlargement on bail.

5. Upon taking into consideration the papers of investigation, more particularly the death certificate and the post-mortem notes coupled with the submissions advanced across the Bar, this Court is the opinion that

the applicant deserves to be enlarged on bail.

ORDER

- (i) The application is allowed.
- (ii) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

The application is allowed and disposed of.

(SMT. SADHANA S.JADHAV, J.)