

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

CRIMINAL APPLICATION NO. 143 OF 2017

Bhagyashree Ramchandra Bhole

..Applicant

Versus

The State of Maharashtra,
through Vazirabad Police Station,
Nanded, District Nanded

..Respondent

Mr S.S. Gangakhedkar, Advocate for applicant

Mr S.N. Morampalle, A.P.P. for respondent

Mr H.I. Pathan, Advocate for complainant, assisting the A.P.P.

CORAM : N.W. SAMBRE, J.

DATE : 7th February 2017

PER COURT

1. The applicant is seeking regular bail in C.R. No.81/2016, registered at Vazirabad Police Station, District Nanded, for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

2. The role attributed to the applicant in the aforesaid crime in which the investigation is over and the charge-sheet is filed, is that of accomplice of the main accused Dhananjay. No overt act is attributed to the applicant in the commission of crime in question, but for the presence of the applicant on the spot of the incident.

3. In the aforesaid background, in my opinion, the motive/intention to commit the offence under Section 302 of the Indian Penal Code is under doubt. In view thereof, applicant is entitled to be released on bail.

4. As such, the applicant be released on bail in C.R. No.81/2016, registered at Vazirabad Police Station, District Nanded, for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code, upon furnishing P.R. bond of Rs.15,000/- with one or two sureties in the like amount.
5. The applicant shall stay away from the jurisdiction of Vazirabad Police Station till conclusion of trial.
6. Criminal Application stands allowed accordingly.

(N.W. SAMBRE, J.)

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