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

***CRIMINAL APPELLATE JURISDICTION***

**CRIMINAL BAIL APPLICATION NO. 908 OF 2017**

Suraj Gopalsingh Chavan ..Applicant

**Vs.**

State of Maharashtra ..Respondent

Mr. Satyavrat Joshi, for the Applicant.

Mr. Deepak Thakare,APP, for the Respondent.

CORAM :- **T. V. NALAWADE, J.**
DATE :- **AUGUST 22, 2017.**

**P. C.:**

The application is filed for bail in C. R. No.240 of 2016 registered in Kondwa Police Station, Pune for the offences punishable under Section 302, 201 etc of the Indian Penal Code. Both sides are heard. The learned counsel for the Applicant placed on record a copy of the order passed by this Court in Bail **Application No.367 of 2017 (Sachin Ganesh Ram v/s The State of Maharashtra).** This Court has considered the entire material collected against the accused including the present accused by the Police. The material is discussed at paragraphs 2

to 4 which is as under:-

> "2]The deceased Mayur Shelkande was working with A.D.D.Technologies and was engaged in collection of money from M.S.E.B. office. In the month of May 2014, when he was discharging his function, he collected some amount and then was missing. Missing report was given on 12th May 2014. Statement made show that the employer made a report against Mayur Shelkande that he had not given account of Rs.4 lakhs collected by him and that probably he had misappropriated that money. Crime is registered for offence of criminal misappropriation of that amount vide C.R.No.240 of 2016 with Kondhwa police Station.
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> 3] Against the present applicant and other two persons, there are allegations that to grab that money, they committed murder of Mayur Shelkande. The statement made shows that motor cycle of the deceased came to be recovered on the basis of statement given under section 27 of the Evidence Act by accused No.1. It also appears that some bones were also recovered during the course of investigation but the DNA report is not supporting the allegation that the bones are of dead body of Mayur Shelkande.
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> 4] The prosecution wants to rely upon the so called extra judicial confession given by the present applicant to his two friends. The prosecution also wants to prove the extra judicial confession given in the year 2014 when police statements were recorded in the year 2016. Corpus has not yet been recovered. In view of these circumstances, this Court is of the view that it is not desirable to keep the applicant in jail."

2 This Court holds that the case of the present Applicant cannot be treated on different footing. Hence the following order.

(i) The applicant is released on bail on his furnishing P.R.bond in the sum of Rs.30,000/- with one or more sureties in the like amount;

(ii) The applicant shall not leave Pune district without permission from sessions court;

(iii) The trial court is expected to complete the trial as expeditiously as possible and in any event within three months from the date of passing of this order;

(iv) Application is disposed of.

**(T.V.NALAWADE, J.)**