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

CRIMINAL BAIL APPLICATION NO.971 OF 2017

Sonya alias Mahadev Kamlakar Pawar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.V.R.Gaikwad, for the Applicant.

Mr.Rajan Salvi, A.P.P for the Respondent-State.

PSI-S.S.Waghmode, Shirur Police Station, Pune.

CORAM : REVATI MOHITE DERE, J.

DATE : 27th JUNE, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks her enlargement on bail in connection with C.R.No.290 of 2016 registered with the Shirur Police Station, Pune for the alleged offences punishable under Sections 302, 120B r/w 34 of the Indian Penal Code.

3. Learned Counsel for the Applicant states that the prosecution case rests entirely on circumstantial evidence and that there is absolutely no material to connect the applicant with the alleged offences. He submitted that neither has the applicant been named in the FIR, nor is there any evidence of last seen or recovery etc., qua the applicant. He further submitted that the applicant has no antecedents.

4. Learned APP does not dispute the aforesaid.

5. Perused the papers. The incident has taken place on 4th July, 2016. Deceased – Sunil was found dead in the field. It is the prosecution case, that co-accused - Maruti Kurandale assaulted the deceased with a koyta and that the applicant was standing at the spot, at a distance. There are no eye-witnesses to the said incident. There is recovery of a sword at the instance of the applicant, but it appears that the sword was not used in the assault. Nor are there any blood stains found on the sword. There is no evidence of last seen or any other material *prima facie*, to connect the applicant with the alleged offences. There are no antecedents, qua the applicant.

6. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- ii) The Applicant shall attend the trial Court on every date of the hearing;
- iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;
- iv) The Applicant shall not contact the complainant, witnesses or any person concerned with the case.

7. The Application is allowed and disposed of in above terms.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

9. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)