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

CRIMINAL BAIL APPLICATION NO.1428 OF 2017

1.	Lahu Pawar	
2.	Mohan Sitaram Pawar	
3.	Suraj Abhiman Pawar	...Applicants
	Versus	
	The State of Maharashtra	...Respondent

Mr.A.S.Sawant, for the Applicants.

Mr.S.R.Agarkar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 5th JULY, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicants seek their enlargement on bail in connection with C.R.No.127 of 2017 registered with the Karmala Police Station, Solapur, for the alleged offences punishable under Sections 302, 201, 498A, 120B r/w 34 of the Indian Penal Code.

3. Learned Counsel for the Applicants submit that there is no material to connect the applicants with the alleged offences. He submits that the prosecution case rests entirely on circumstantial evidence and that there are no incriminating circumstances, qua the applicants.

4. Learned APP does not dispute the aforesaid facts. He is unable to point out any circumstance, qua the applicants to connect them with the alleged offences.

5. Perused the papers. The applicant no.1 is the husband of the deceased; applicant no.2 is the brother-in-law and applicant no.3 is the nephew of applicant nos.1 and 2. The prosecution case rests entirely on circumstantial evidence. The incident has taken place on 1st March, 2017. The complainant is the brother of deceased – Archana. Although, he has made allegations as against the applicants, the prosecution case rests entirely on circumstantial evidence and *prima facie*, there are no circumstances to connect the applicants with the alleged offences in the nature of last seen, motive etc.

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

ORDER

i) The Applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.20,000/- each with one or two sureties in the like amount;

ii) The Applicants shall not contact the complainant, witnesses or any person concerned with the case.

iii) The Applicants shall co-operate in the conduct of the trial.

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.)