

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

BAIL APPLICATION NO. 2004 OF 2017

Ganesh Jayram Shete

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Nitin Kamble for the Applicant.

Mr. S.R. Agarkar, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 30th OCTOBER, 2017

P.C.:

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. 78 of 2016 dated 26.10.2016 registered with Talegaon M.I.D.C. Police Station, District Pune under Sections 302 of the Indian Penal Code.

2 It is the prosecution case that due to some earlier altercations took between accused No.1 Mahendra and the deceased Vitthal Gutte, the accused persons i.e. Mahendra and Applicant committed murdered of the deceased Vitthal Gutte by assaulting him with the aid of stones on his head. The first information report is lodged by Smt. Laxmi Vitthal Gutte, the wife of deceased on 26.10.2016 after the dead body of deceased Vitthal Gutte was found at about 8.00 a.m. on the said date. During the course of investigation, the Applicant came to be arrested on 03.11.2016 and after completion of investigation, police have submitted the

charge-sheet.

3 The record indicates that prima facie there is only a circumstance of last seen together with deceased on 25.10.2016 at about 11.30 a.m. by witnesses. As stated earlier, the dead body of Vitthal Gutte was found at about 8.00 a.m. of 26.10.2016.

4 In view thereof, the Applicant can be released on bail.

Hence, the following order:

i) The applicant be released on bail in C.R. No. 78 of 2016 dated 26.10.2016 registered with Talegaon M.I.D.C. Police Station, District Pune on his furnishing PR bond of Rs.15,000/- with one or two local sureties in the like amount.

ii) After his release from the jail, the applicant shall attend the Talegaon M.I.D.C. Police Station once in month i.e. on every first Monday of the month between 10.00 a.m. to 12.00 noon till the conclusion of trial.

iii) The applicant shall also attend all dates before the Trial Court.

iv) The Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.

v) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)