

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2590 OF 2016**

1.	Tanaji Kundalik Salunke,	
2.	Shubham Sanjay Dure,	
3.	Sachin Sanjay Dure,	
4.	Dada @ Bhairu Shrirang Kokate,	
5.	Kiran Dadarao Yadav,	
6.	Vaibhav Balbhim Bankar	...Applicants
	Versus	
	The State of Maharashtra	...Respondent

Mr. S. V. Devkar i/b Mr. Viresh V. Purwant for the Applicants

Ms. Rutuja Ambekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 7th APRIL, 2017

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P for the State.

2. By this application, the applicants seek their enlargement on bail in connection with C.R. No. 347 of 2016 registered with the Solapur Taluka Police Station, Solapur, for the alleged offences punishable under Sections 306, 143, 147, 148, 323, 504 and 506 of the Indian Penal Code.

3. Learned Counsel for the applicants states that no offence as alleged under Section 306 of the IPC is disclosed *qua* any of the applicants. He submitted that even otherwise, investigation is complete and charge-sheet is filed. He submitted that the applicants have no antecedents.

4. Learned A.P.P opposes the bail.

5. Perused the application. The incident in question took place on 17th August, 2016 at about 12:00 noon. According to the prosecution, the applicants assaulted deceased-Aakash Ambadas Salunke with fist blows, belt and sticks, as they suspected that he had committed theft of an electric motor from the well, which was situated in their field. It appears that deceased-Aakash Salunke denied that he had committed any theft and stated that he had no knowledge as to who had committed the theft. Thereafter, everyone returned to their respective houses. On the next day i.e. 18th August, 2016, Aakash Salunke committed suicide by consuming poison. He succumbed to the said injury on 25th August, 2016. Two chits were found on the person of the deceased, in which, he has stated that he was falsely implicated by the applicants and that because of the false implication, he could not bear the same and hence committed suicide. He

has also stated in the said chits that threats were given that if he stays in the village, he will be cut into pieces. He has disclosed the names of the applicants in the said chits.

6. Learned Counsel for the applicants state that there is nothing to show that the said chits were written by the deceased.

7. Be that as it may, considering the facts of this case and the fact that investigation is complete and charge-sheet is filed and that there are no antecedents *qua* the applicants, 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 executing PR Bond in the sum of Rs. 15,000/- each, with one or two sureties in the like amount;

(ii) The applicants shall report to the Investigating Officer of the concerned Police Station on the first Monday of every month from 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;

(iii) The applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicants shall inform their latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicants to cooperate with the conduct of the trial;

8. The application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

REVATI MOHITE DERE, J.