

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL APPLICATION (BAIL) NO. 34 OF 2018

RAVI SHANU SHIRODKAR, THR. HIS
NEXT FRIEND, PREMDEEP RAVI
SHIRODKAR.,

... Applicant

Versus

STATE, THR. POLICE INSPECTOR,
CRIME BRANCH, RIBANDER.,

... Respondent

Adv. Ashwin D. Bhobe for the Applicant.
Mr. S. R. Rivankar, Public Prosecutor for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 3rd April 2018

Oral Order:

This is an application for bail.

The applicant has been charge sheeted for the offence punishable under section 302, 201 read with section 34 of I.P.C for having caused murder of his brother Shantaram Shirodkar. The learned Sessions Judge has rejected the application for bail on 24/1/2018 inter alia on the ground that the investigation was in progress. Subsequently, the investigation is now complete and the charge sheet is filed. According to the prosecution there was a property dispute and enmity between the applicant and his deceased brother. Prima facie at this stage there is no direct evidence or eye witness account of the incident available on record. According to the prosecution the applicant usually was

visiting the field (where the incident happened) between 7.30 a.m to 12.45 p.m. However, on the date of the incident he was seen near the place of the incident at 15.00 hours. Admittedly there is no recovery of any incriminating article/s from or at the instance of the applicant. Looking to the nature of the material available against the applicant and further having regard to the fact that the applicant is aged about 70 years and is stated to be infirm the proviso to section 437 of Cr.P.C. will be attracted. In such circumstances, the following order is passed:

ORDER:

- (i) The applicant shall be released on bail on furnishing a P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five thousand only) with one solvent surety in the like amount.
- (ii) The applicant shall not tamper with the prosecution evidence or witnesses and shall remain present before the learned Sessions Judge during the course of the trial.
- (iii) Bail Bonds to be furnished before the learned Sessions Judge.

C. V. BHADANG, J.

ap/-