

Anand

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

BAIL APPLICATION NO. 259 OF 2018

Himmatsingh Chandansingh Ranavat .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. S. R. Pawar, Advocate, for the Applicant

Mrs. A. A. Takalkar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 04.04.2018

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. 60 of 2017 registered with the Jawahar Police Station, District - Palghar, for the alleged offences punishable under Sections 302 & 201 r/w 34 of the Indian Penal Code.

3. Perused the charge-sheet. The Applicant is the brother of the deceased – Mohansingh Ranavat. According to the prosecution, the incident took place on 11.07.2017. According to the prosecution, the Applicant and co-accused – Himmatsingh Ranavat had called the

deceased - Mohansingh Ranavat on the pretext of giving him Rs. 6,00,000/- for setting up a shop. It is alleged that the Applicant and co-accused - Himmatsingh Ranavat took the deceased in a car, forced him to consume alcohol and thereafter, the Applicant and co-accused - Himmatsingh Ranavat assaulted the deceased and committed his murder. Thereafter, the dead body of Mohansingh Ranavat was disposed off near the Jawahar – Dahanu Road. Accordingly, the Police Patil of the village lodged a complaint as against unknown person. During the course of investigation, the Applicant was arrested. The prosecution case rests entirely on circumstantial evidence. There is no evidence of last seen or any other circumstance as against the Applicant. As far as recovery of a knife is concerned, the said knife is not blood stained. The Applicant has been in custody since 15.07.2017. Investigation is complete & charge-sheet is filed.

4. Considering the aforesaid, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions :-

ORDER

- (i) The Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs. 25,000/-** with one or two sureties in the like amount;
- (ii) The Applicant shall report to the investigating officer of the

concerned police station on the **first Sunday of every month** between **10:00 a. m. and 11:00 a. m.** till the conclusion of the trial;

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

(iv) The Applicant to cooperate with the conduct of the trial;

(v) The Applicant shall file an undertaking with regard to clauses (ii) to (iv), in the trial Court, within two weeks of his release;

(vi) If there are two consecutive defaults in either reporting to the police station or appearing before the trial Court, the prosecution will be at liberty to apply for cancellation of Applicant's bail.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

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

(REVATI MOHITE DERE, J.)