

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3190 OF 2018

WITH

CRIMINAL APPLICATION NO.1596 OF 2019

Vitthal Bankat Giri	..Applicant.
V/s.	
State of Maharashtra	..Respondent.
AND	
Krishna Ganpat Londhe	..Intervenor.

Mr.Jaydeep D.Mane for the applicant.

Mr.N.B. Patil, APP for the respondent-State.

Mr.Ashok M.Misal for the intervenor-complainant.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 21, 2019

P.C.:-

Heard learned counsel for the applicant and the complainant, so also learned APP for the State.

2. In crime No.298/2018 for offence punishable under sections 302, 364, 504, read with 34 of the Indian Penal Code registered with Kurduwadi police station, District Solapur, the applicant, arrested and charge-sheeted, is seeking regular bail.

3. Considered the statement of the complainant and the

F.I.R. which clearly corresponds with the injuries suffered by the victim as can be noticed from the post mortem report.

4. At a later stage, the allegations of murder are lodged against the applicant based on the theory of last seen report. There is hardly any material to infer any motive against the applicant to accept the said theory. The case is based on circumstantial evidence. In view thereof, the applicant deserves to be released on bail. Hence the order :-

- i) The applicant be released on bail in Crime No.298/2018 for offence punishable under sections 302, 364, 504, read with 34 of the Indian Penal Code registered with Kurduwadi police station, District Solapur, upon furnishing P.R. bond of Rs.25,000/- with one or two sureties in the like amount;
- ii) The applicant shall not influence the prosecution witnesses or tamper with the evidence;
- iii) The application stands disposed of accordingly;
- iv) In view of the disposal of the bail application, the Criminal Application No.1596 of 2018 also stands disposed of.

(NITIN W. SAMBRE, J.)