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

CRIMINAL BAIL APPLICATION NO. 348 OF 2019

Rakesh Banwarilal MouryaApplicant

V/s.

The State of MaharashtraRespondent

Mr. Tapan Thatte advocate for the applicant

Mr. S. S. Hulke APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 1, 2019.

P.C.

Applicant is seeking regular bail in Crime No. 254/2018 registered with Talegao Dabhade Police Station, Pune Rural for offence punishable under Section 302 of the Indian Penal Code.

2 The case of prosecution is based on circumstantial evidence. Applicant and deceased were close friends and it is out of difference on trivial issue it is alleged that applicant has killed deceased by a cement stone. Prosecution case is based on circumstantial evidence

and extra judicial confession.

3 Having appreciated material on record, what is noticed is absence of substantive piece of evidence to connect the applicant to the crime in question. That being so, based on extra judicial confession which can be used only for corroboration, in my opinion, it will be inappropriate to continue detention of the applicant.

Hence, following order:

(A) Applicant be released in Crime No. 254/2018 registered with Talegao Dabhade Police Station, Pune Rural on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

(B) Applicant shall not influence witnesses or tamper with evidence.

4 Application stands disposed of.

[NITIN W. SAMBRE, J.]