

rpa

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

**BAIL APPLICATION NO.1176 OF 2019**

Arjunsingh Nansingh Sunar

.. Applicant

***Versus***

The State of Maharashtra

.. Respondent

.....

Mr.Vikas Shivarkar i/b. Mr.A.F. Basit, Advocate for the Applicant.

Mr.S.H. Yadav, APP for Respondent – State.

ASI Amberkar, Vadgaon Maval Police Station, present.

.....

**CORAM : PRAKASH D. NAIK, J.**

**DATED : NOVEMBER 18, 2019.**

**P.C. :**

The Applicant is seeking bail in connection with C.R.No.197 of 2018, registered with Vadgaon Maval Police Station, Pune Rural, for the offences punishable under Sections 302 and 201 read with 34 of IPC (“IPC”, for short).

2           It is the case of the prosecution that the Applicant had lodged a report on 22<sup>nd</sup> September, 2018 with Vadgaon

Maval Police Station, Pune Rural, that an unknown male person is lying dead in the nalla situated adjacent to the road running between Takve Badli to Indrayani Vasanat. On the basis of the information, A.D. No.52 of 2018, under Section 174 of Code of Criminal Procedure was registered on 27<sup>th</sup> September, 2018. During the course of investigation, spot panchanama was drawn. Postmortem was conducted. The last rites of the deceased were also performed, as identity was not revealed. Postmortem report indicates that the deceased has died on account of head injury with fracture of skull. The investigation proceeded. It was noticed that the Applicant has not given correct information as he was knowing the identity of the deceased and instead of that complaint was lodged that body of unknown person was found in the nalla.

3            On completing investigation, charge-sheet has been filed. Another accused was also arrested who had allegedly committed murder. On perusal of the material on record, it is apparent that there is no cogent evidence on record with regards to participation of the Applicant in commission of

murder. At the most, it is alleged that the Applicant has not parted a true information and has suppressed the identity of deceased. There is no eye witnesses to the incident. There is no incriminating recovery from the Applicant. Learned APP, however, submitted that the Applicant and the deceased were known to each other. Some articles were recovered from the place where they were residing.

4           As stated above, there is no evidence of involvement of the Applicant in committing murder of the deceased. The Applicant is in custody from the date of arrest. There is no criminal antecedents against the Applicant. The Applicant can be released on bail on certain terms and conditions.

5           Hence, I pass the following order:

**:: ORDER ::**

- (i) Bail Application No.1176 of 2019, is allowed;
- (ii) The Applicant is directed to be released on bail in connection with C.R.No.197 of 2018,

registered with Vadgaon Maval Police Station, Pune Rural, on his executing P.R. Bond in the sum of Rs.25,000/-, with one or two sureties in the like amount;

- (iii) The Applicant shall report Vadgaon Maval Police Station, Pune Rural, once in a Month on first Saturday of the month between 10:00 a.m. and 12:00 noon, till further orders;
- (ii) The Applicant shall not tamper with the prosecution evidence;
- (iii) Bail Application stands disposed of.

**(PRAKASH D. NAIK, J.)**