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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL BAIL APPLICATION NO. 1178 OF 2018**

1. Rahul Aba TambelkarApplicants
2. Aaba @ Vijay Bhagwan Tambelkar

V/s.

The State of MaharashtraRespondent

Mr. Ritesh Thobde for the applicant
Ms. Sharmila S. Kaushik APP for the State
Mr. S. R. Adhatrao, PSI, Pandharpur Town Police Station

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 21, 2019.

P.C.

Applicant is seeking regular bail in Crime No. 583/2017 registered with Pandharpur City Police Station, Dist. Solapur for offence punishable under Sections 302 r/w 34 of the Indian Penal Code. Both applicants were arrested on 23/08/2017 and were charge-sheeted.

2 The learned APP on instructions informs this Court that the

trial has reached at a conclusion stage as the evidence of Investigating Officer is being recorded.

3 Considering the entire investigation carried out till date what is inferred from the record is, case is based on circumstantial evidence. The victim who was son-in-law of applicant no. 2 and brother-in-law of applicant no. 1 died due to injury to the vital organ.

4 The entire investigation if appreciated, there is no material to connect the applicants to the crime in question to the extent of they being responsible for causing injury as claimed.

5 In the wake of above, in my opinion, even if the trial has reached at an advance stage, applicants deserve to be released.

(A) Applicants be released on bail in Crime No. 583/2017 registered with Pandharpur City Police Station, Dist. Solapur on executing P.R. bond in the sum of Rs. 25,000/- each with one or more sureties in the like amount.

(B) Applicants shall attend the trial regularly and will not

seek any unwarranted adjournment.

(C) A single adjournment at the behest of the applicants for unreasonable cause will entail the learned Sessions Court to take the applicants forthwith in custody.

(D) Applicants shall not influence witnesses or tamper with evidence.

(E) It is made clear that the observations made herein above shall be restricted only to the extent of consideration for grant of bail and shall not influence merits of the matter.

6 Application stands disposed of.

[NITIN W. SAMBRE, J.]