

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2179 OF 2019

Pankaj Popat Gaikwad

Applicant

versus

The State of Maharashtra

Respondent

Mr.Tapan Thatte for applicant.

Mr.H.J.Dedhia, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 8th November 2019

PC :

1. The applicant is seeking bail in connection with CR No.547 of 2018 registered with Saswad Police Station for offences under Sections 302 and 201 of IPC.

2. The prosecution case is that the dead body of the deceased in half burnt condition was located. The investigation proceeded and the accused were arrested. It is alleged that the deceased was supposed to purchase Katta at the instance of one of the accused and he had parted with the amount for the said purchase. He did not fulfill the job assigned to him nor returned the money. He was questioned about the same. The accused then apprehended that they would be killed by the deceased.

3. On perusal of the material on record it can be seen that there is no eye witness to the incident. The entire case is based on circumstantial evidence. The co-accused has been granted bail by the Sessions Court. There is recovery of knife allegedly used for

crime at the instance of co-accused who has been granted bail. The applicant is in custody from 2-11-2018. Considering the nature of evidence, there is no impediment in granting bail to the applicant.

4. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.2179 of 2019 is allowed and disposed of;
- (ii) The applicant is directed to be released on bail in connection with CR No.547 of 2018 registered with Saswad Police Station, on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report Saswad Police Station once in a month on every first Saturday of the month between 10 am and 12 pm till further orders;
- (iv) The applicant shall attend the Trial Court proceedings regularly unless exempted for some reason, and shall not tamper with the evidence.

(PRAKASH D. NAIK, J.)

MST