

SAS

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2533 OF 2018

Karansinh Rampratapsinh Aarakh ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Aniket U.Nikam for the applicant.

Mr.S.S.A Hulke, APP for the respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 18, 2019

P.C.:-

Heard learned counsel for the applicant and learned APP for the State.

2. In crime No.257/2016¹ for offence punishable under section 302 read with 34 of the Indian Penal Code registered with Bhosari police station, Pune, the applicant, after his arrest on August 8, 2016, came to be charge-sheeted, is seeking regular bail.

3. The case of the prosecution is based on circumstantial evidence. The allegations in the charge-sheet against the applicant is, he had assaulted the deceased with bamboo stick which is

¹ Corrected as per Speaking to the Minutes of the order dated January 30, 2019

discovered under section 27 of the Evidence Act.

4. The report of the Chemical Analyser as regards the blood stains is inconclusive about the blood group.

5. There is no other evidence on record to connect the applicant to the crime in question. There are no antecedents against the applicant. In view thereof, the applicant is entitled to bail. Hence the order :-

- i) The applicant be released on bail in Crime No.257/2016² for offence punishable under section 302 read with 34 of the Indian Penal Code registered with Bhosari police station, Pune, 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) In case it is noticed that the applicant is involved in similar type of offence, it shall be open for the prosecution to move for cancellation of bail;
- v) The application stands disposed of accordingly.

(NITIN W.SAMBRE, J.)

² Corrected as per Speaking to the Minutes of the order dated January 30, 2019