

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

CRIMINAL BAIL APPLICATION NO. 212 OF 2020

Salman Yusuf Shaikh ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. N.R. Bubna, Advocate for the Applicant.
Mr. S.S. Pednekar, APP for Respondent/State.
Mr. P.B. Dalvi, P.S.I., Nandgaon Police Station,
Nashik.

...

CORAM : SANDEEP. K. SHINDE, J.

DATE : 12th MARCH, 2020.

P.C.

Heard.

1. Applicant is seeking his enlargement on bail in connection with Crime No. 174 of 2019 registered with Nandgaon Police Station for the alleged offences punishable under Sections 302, 201 r/w 34 of the Indian Penal Code, 1860 ("IPC" for short).

3. Investigation is over and the final report has

been filed. I have perused it.

4. Prosecution case is based on the circumstantial evidence. The only circumstance against the applicant is recovery of the blood stained clothes on his voluntarily disclosure made to the Police, except this circumstance there is no other substantive evidence on record to suggest the complicity of the applicant in the subject crime. Though the investigation is over and the trial may not commence in the near future, applicant's presence for the trial can be secured by the imposing conditions. Additionally no antecedents are brought to my notice by the prosecution.

5. Thus, in view of the nature of accusation and the evidence brought on record, applicant is directed to be released on bail on the following conditions.

ORDER

(i) The applicant is directed to be released on bail on executing P.R. Bond for the sum of

Rs.25,000/- with one or more sureties in the like amount;

(ii) The applicant shall report to the Investigation Officer once in a month i.e. 2nd Monday of each month commencing from April, 2020 between 11 am. to 01 pm. till the charge is framed;

(iii) The applicant shall furnish the particulars of his residential address as well as permanent address and contact details to the investigating officer within two weeks from the date of his release on bail;

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

6. The application is allowed in the aforesaid terms and disposed off.

7. It is made clear that the observations made

hereinabove shall be construed as expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

SANDEEP. K. SHINDE, J.