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

BAIL APPLICATION NO.2982 OF 2019

Ranjit Bhiku Singh ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Ms. Namrata S. Bobade for the Applicant.
Ms. P.P.Shinde , APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : 2nd September, 2020

P.C. :

Heard.

2 Applicant seeks his enlargement on bail in connection with the Crime No.I-198 of 2018 registered with Bhoiwada Police Station, Bhiwandi for the offences punishable under Section 302 of the Indian Penal Code, 1860.

3 On 2nd December, 2018, at late hours, dead-body of Santram (Deceased), power-loom worker was found lying near Vini Dying, 72nd Gala at Bhiwandi

2019.odt

whereupon Panchram, brother of the deceased lodged the complaint, against unknown persons for causing murder of 'Santram'. Cause of death reported by autopsy surgeon is "*Death due to hemorrhagic shock due to stabbed wound on neck. Lower viscera preserved*". In the course of the investigation, police retrieved CCTV footage of nearby places where the dead-body of Santram was found lying. When footage was shown to Panchram (brother of deceased), he suspected 'person' accompanied his deceased brother on fateful day could be applicant. Panchanama records so. On the basis of which applicant came to be apprehended on 6th March, 2019. Thus, except, CCTV footage and the panchanama, there is no evidence on record to suggest that the applicant was last seen in the company of the deceased by, anyone.

4 Though prosecution has relied upon the recovery of weapon and blood-stained clothes, Chemical Analyser's report does not further

2019.odt

prosecution's case. More so, no blood-stains were detected, on the weapon allegedly recovered at the instance of the applicant. So far as motive is concerned, being case based on circumstantial evidence, reliance has been placed by the prosecution on accused statement.

Thus, having regard to facts of the case, and the material sought to be relied upon by the prosecution, as discussed, a case is made out for releasing applicant on bail. Additionally, investigation is over and the charge-sheet has been filed and though applicant is resident of another state, his presence for the trial can be secured by imposing suitable conditions. Hence, following order:

ORDER

(i) Applicant in Crime No.I-198 of 2018 registered with Bhoiwada Police Station, Bhiwandi shall be released on executing PR bond for the sum of Rs.40,000/- with one or more solvent sureties in like sum.

2019.odt

- (ii) He shall attend the concerned police station once in a month on the first Monday between 11 a.m. to 1 noon till charge is framed.
- (iii) He shall furnish his permanent and present residential address and contact number 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
- (v) Due to outbreak of Covid-19 pandemic, if the applicant is unable to furnish sureties, he is directed to be released on furnishing cash bail in the sum of Rs.40,000/-. It is purely an interim arrangement and shall remain in force for the period of three months.
- (vi) It is made clear that before expiry of three months, applicant shall furnish sureties as directed hereinabove.

2019.odt

5 The application is accordingly allowed and disposed off.

6 It is made clear that observations made hereinabove be construed as expression of opinion only for the purpose of bail and the same shall not in any way influence the trial in other proceedings.

7 Parties to act upon digitally signed copy of this order.

(SANDEEP K. SHINDE, J.)