

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

926 BAIL APPLICATION NO.516 OF 2021

Satish @ Pawan Bhanudas Deshmukh
Age: 30 years, Occu.: Agriculture,
R/o. Rotwad Nandra, Tq. Jamner
Dist. Jalgaon.

..Applicant
(Orig. Accused No.03)

VERSUS

The State of Maharashtra
Through Police Station Officer,
Pahur Police Station, Tq. Jamner,
Dist. Jalgaon.

..Respondent

...

**WITH
BAIL APPLICATION NO.575 OF 2021**

Abhijit Charandas Patil
Age: 23 years, Occu.: Agriculture,
R/o. Pimpalgaon Khurd, Tq. Jamner
Dist. Jalgaon.

..Applicant
(Orig. Accused No.02)

VERSUS

The State of Maharashtra
Through Police Station Officer,
Pahur Police Station, Tq. Jamner,
Dist. Jalgaon.

..Respondent

...

Advocate for Applicants : Shri S.G. Chapalgaonkar
APP for Respondent-State : Shri S.D. Ghayal

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CORAM : M.G. SEWLIKAR, J.

DATE: 18th August, 2021

PER COURT:-

1. These applications are filed by the applicants under Section

439 of the Code of Criminal Procedure for grant of bail.

2. Facts leading to these applications are that informant is the brother of the deceased Ravindra. On 26th December, 2020 at 08:00 a.m., deceased Ravindra had left for the Garage run by him under the name and style 'Shri Swami Samarth'. At 04:43 p.m., cousin of the informant informed the informant that the deceased was lying near the Government Hospital, Pahur. When he went to the spot, he found that the deceased was taken to the hospital and was declared as dead. CCTV has been installed at the Xerox Center of Datta Mohite. On examination of the CCTV footage, it was revealed that the deceased was last seen on motorcycle of Yogesh Bhagwan Askar, who is accused No.1. It appears that during the interrogation and while recording memorandum of accused Yogesh Askar, names of applicants were revealed. Applicants were accordingly arrested. Offence came to be registered against the applicants and said Yogesh Askar under Section 302, 201 and 120B read with Section 34 of the Indian Penal Code.

3. Heard Shri S.G.Chapalgaonkar, learned counsel for the applicants and Shri S.D.Ghayal, learned APP for the respondent-State.

4. Shri Chapalgaonkar, learned counsel for the applicants

pointed out the circumstances against the applicants. The first circumstance is that C.D.R. revealed that the applicants were within the vicinity of the spot of the incident at the time of incident. Second circumstance is the disclosure of names of the applicants while recording memorandum of accused Yogesh Askar. Applicants are not the persons who were last seen with the deceased. It is Yogesh Askar.

5. On perusal of the entire papers and the charge-sheet, it is seen that except these two circumstances, there is no evidence against the applicants to connect them with the offence. In this view of the matter, I am inclined to release the applicants on bail. Hence, the order:

ORDER

- i) Bail Application Nos.516 of 2021 and 575 of 2021 are allowed.
- ii) Each of the applicants be released on P.R.Bond of Rs.30,000/- with one solvent surety in the like amount in connection with Crime No.350 of 2020 registered with Pahur Police Station, District Jalgaon, under Sections 302, 201, 120B read with Section 34 of the Indian Penal Code.
- ii) Both the applications are disposed of.

**(M.G.SEWLIKAR)
JUDGE**