

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

BAIL APPLICATION NO. 855 OF 2022

Suraj @ Surja Nitin Jadhav

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....

Mr. R.S. Deshmukh, Senior Advocate i/b Mr. D.R. Deshmukh, Advocate for applicant

Mr. V.S. Badakh, A.P.P. for respondent - State

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CORAM : R.G. AVACHAT, J.

DATE : 08th SEPTEMBER, 2022

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 84 of 2021 registered with Basmathnagar (City) Police Station, Dist. Hingoli for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. Name of the applicant doesn't figure in the F.I.R. The charge-sheet earlier filed against Accused No.1 only. Name of the applicant figured

during disclosure statement made by co-accused. The same is inadmissible. Except the same, there is no other material to connect the applicant with the offence in question. He is in jail since November 2021. Charge-sheet has also been filed against him. It will necessarily take time for commencement and conclusion of the trial. In view of these, the Court is inclined to grant the applicant bail.

4. In view of above, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released on bail, in connection with Crime No. 84 of 2021 registered with Basmathnagar (City) Police Station, Dist. Hingoli for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code, on executing PR. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(III) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)