

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

BAIL APPLICATION NO.881 OF 2022

Jitendra @ Jitu s/o Bharatsingh Thakur ... APPLICANT

VERSUS

The State of Maharashtra ... RESPONDENT

.....
Mr. Mangesh R. Jadhav, Advocate for applicant
Mr. V.S. Badakh, A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 11th AUGUST, 2022.

ORDER :

Heard. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0120/2021, registered at Selu Police Station, District Parbhani for the offences punishable under Sections 304-A, 302, 326, 289, 279, 120(B), 302, 201, 203, 427, 403, 465, 471 of the Indian Penal Code.

2. Co-accused Rahul Kasat is alleged to have got murdered Suresh Shrikisanji Karwa, husband of a woman with whom he is alleged to have extra-marital relationship. It is

said to be a case of contract killing. As per the case of the prosecution itself, the applicant herein has neither participated in commission of the murder nor is he a privy to the conspiracy pursuant to which the murder took place.

3. Learned counsel for the applicant would urge for grant of bail in the facts and circumstances of the case.

4. The learned A.P.P. urged or rejection of the bail application.

5. The applicant is alleged to have been a privy to the conspiracy with the co-accused Rahul Kasat. The conspiracy was to commit murder of Suresh Karwa. Admittedly, pursuant to the conspiracy, to which the applicant was a privy, no offence or murder did take place. The applicant has been behind the bars since 31/7/2021. This Court is, therefore, inclined to allow the application. Hence the order :-

ORDER

(i) The Bail Application is allowed.

(ii) The applicant be released in connection with Crime No.0120/2021, registered at Selu Police Station, District

Parbhani for the offences punishable under Sections 304-A, 302, 326, 289, 279, 120(B), 302, 201, 203, 427, 403, 465, 471 of the Indian Penal Code on his executing P.R. 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 in any manner.

**(R. G. AVACHAT)
JUDGE**

fmp/-