

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

BAIL APPLICATION NO.905 OF 2022

Maykal s/o Shivram Chavan

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. S.A. Gaikwad, Advocate for applicant
Mr. V.S. Badakh, A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 11th AUGUST, 2022.

PER COURT :

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.0270/2021, registered at Vaijapur Police Station, District Aurangabad for the offences punishable under Sections 302, 307, 120-B, 394, 457, 458, 459, 460 read with Section 34 of the Indian Penal Code.

2. The First Information Report (F.I.R.) has been lodged by the father of the deceased on 2/7/2021. It is alleged in the F.I.R. that, the informant along with his wife,

son and daughter-in-law would reside together in a house on his agricultural field. On the night of 2/7/2021, the informant woke up on hearing cries of his son. When he tried to come out of his room, he realised the door of his room to have been bolted from outside. The neighbours came. They unbolted the door. The informant and his wife then went to the room of his son Rajendra to find both Rajendra and his wife lying in a pool of blood. It was also realised that, the culprit had entered the house by break-opening the back side door. The safe in the room was broken open. It was, however, found that no valuables were stolen.

3. The learned A.P.P. would submit that, on hearing the cries, the neighbours woke up and because of the same, the culprits fled without taking anything with them.

4. The F.I.R. was lodged against unknown person. On close scrutiny of the police papers, it appears that, against the present applicant, only incriminating material is in the nature of his disclosure statement, pointing out spot of the incident. The said spot had already been discovered. As such, it appears to be a case of no material against the applicant herein. I am therefore, inclined to grant bail to the applicant. Hence the order :

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released in connection with Crime No.0270/2021, registered at Vaijapur Police Station, District Aurangabad for the offences punishable under Sections 302, 307, 120-B, 394, 457, 458, 459, 460 read with Section 34 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 attend the concerned police station on every Sunday between 11.00 p.m. to 12.00 midnight until conclusion of the trial
- (iv) The applicant shall not tamper with the prosecution evidence in any manner.

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

fmp/-