

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

BAIL APPLICATION NO. 1161 OF 2022

Pralhad Navnath Ghumre	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Mr. S. J. Salunke, Advocate for applicant
Mr. A. V. Deshmukh, APP for respondent - State

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CORAM : R. G. AVACHAT, J.

DATED : 25th AUGUST, 2022

PER COURT :-

1. 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.57/2022, registered at Aashti Police Station, District Beed, for the offences punishable under Sections 302, 201 read with 34 of the Indian Penal Code.

2. Heard. Perused the First Information Report (FIR) and related papers.

3. The learned APP has strong objection for grant of bail to the applicant herein on the ground of seriousness of the offence and statement of witnesses indicating the applicant to have been last seen in the company of the deceased.

4. The case is based on circumstantial evidence. The offence took place on the intervening night of 3rd and 4th of November, 2021. The FIR has been lodged four months thereafter i.e. on 03.03.2022. The dead body of Nanda was highly decomposed. The postmortem report, therefore, is silent to give the cause of death. Chemical analysis report is still awaited. The statements of persons who claimed to have had seen the applicant in the company of the deceased are necessarily after four months of the alleged incident. All these facts lead this Court to grant the application. Hence, following order:

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.57/2022, registered at Aashti Police Station, District Beed, for the offences punishable under Sections 302, 201 read with 34 of the Indian Penal Code, on his executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety bond of the like amount.
- (iii) The applicants shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]