

2. The First Information Report (F.I.R.) has been lodged by widow of the deceased on 9/4/2022. It is her case that, co-accused Bhagwat had made photographs of the informant's daughter viral on the previous day. The informant

and her husband had, therefore, been to his residence to reason with him. Co-accused Bhagwat asked the informant's husband (deceased) to give him his daughter in marriage and if he did not, he would not be spared.

3. It is also the case of the prosecution that, on the following day, the husband of the informant left home for Salegaon. Her brother-in-law informed her that Ramesh (deceased) was lying injured by roadside near Ganji Phata. The informant was also told that, the deceased told her brother-in-law that he was assaulted by Bhagwat and his two associates. As such, the F.I.R. is based on hear-say.

4. Statement of one Prakash Gaokar is relied on to indicate the applicant was in the company of co-accused Bhagwat. But the statement of this witness indicates that, it was co-accused Bhagwat who had assaulted the deceased on his head with number of blows of iron rod. The applicant has not been attributed with any overt act. Even the offence is serious one, since no overt act is attributed to the applicant, I am inclined to grant him bail. Hence the order :

ORDER

(i) The Bail Application is allowed.

(ii) The applicant be released on bail in connection with Crime No.114/2022, registered at Kaij Police Station, District Beed for the offences punishable under Sections 302, 307 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. Bail before the trial Court.

(iii) The applicant shall not tamper with the prosecution evidence in any manner.

(R. G. AVACHAT, J.)

fmp/-