

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

BAIL APPLICATION NO. 1535 OF 2022

Ramesh Ganpati Kognulkar	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Mr. N. P. Bhavake, Advocate a/w Mr. Bhushan S. Dhawale,
Advocate for applicant
Mr. V. S. Badakh, APP for respondent - State

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CORAM : R. G. AVACHAT, J.
DATED : 23rd SEPTEMBER, 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.0061/2022, registered at Kaij Police Station, District Beed, for the offences punishable under Sections 302, 201, 364-A, 365, 506 read with 34 of the Indian Penal Code and under Section 4/25 of the Arms Act.

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

3. The FIR has been lodged by Akshay, son of the deceased, on 28.02.2022. It is his case that his father, deceased – Sudhakar, was serving as labour contractor with Mahalaxmi Sugar Factory. The deceased went missing on 16.02.2022. He had, therefore, lodged a missing person's report on 25.02.2022. The informant claimed to have had received a phone call of his father by 12.00 noon on 27.02.2022. The father was asking the informant to come to Sankeshwar Sugar factory in the State of Karnataka, with a sum of Rs.12,00,000/-. The father had made similar call to the informant's brother Vishal also. During the telephonic conversation, one another person, who was with the deceased, talked with both of them in Hindi. He told the informant and his brother that their father received a big amount of poor people and if the money is not returned, their father would not be spared. It has also been averred in the FIR that the informant had heard his father crying and urging for mercy.

4. Against the present applicant, there is only statement of one Vasant Desai, who has stated that in the last week of March 2022, he had seen the applicant, co-accused Pawan Desai and Dattatray Desai, together with one unknown person. Those three assaulted that unknown person in his presence. There is nothing further

incriminating against the present applicant. He is behind the bars since 16.03.2022.

5. Considering the incriminating material appearing in the statement of one Vasant Desai, the Court is inclined to grant the applicant, bail. Hence, following order:

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.0061/2022, registered at Kaij Police Station, District Beed, for the offences punishable under Sections 302, 201, 364-A, 365, 506 read with 34 of the Indian Penal Code and under Section 4/25 of the Arms Act, 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 applicant shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]