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

BAIL APPLICATION NO.1547 OF 2022

**MAHENDRA RAMESH MORE
VERSUS
THE STATE OF MAHARASHTRA**

Mr. S. S. Chapalgaonkar, Advocate for applicant;
Mrs. V. S. Choudhari, Advocate for respondent/State

CORAM : S. G. MEHARE, J.

DATE : 12th December, 2022

PC.

1. Sufficient time was granted to produce C.A. report, but the prosecution failed. Hence, the matter is proceeded further without C.A. report.
2. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
3. The applicant has been arraigned as an accused in the crime on the ground of having quarrel with the deceased before the alleged incident. The deceased was the real brother of the applicant. The prosecution case rests upon recovery of blood stained axe and clothes. Except this, the prosecution even has no evidence of 'last seen together'. The deceased was found in a pool of blood near the underway temple. The offence is undoubtedly serious as alleged, but

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considering the material collected by the Investigating Officer, the Court is of the view that the applicant has *prima facie* case for bail.

Hence, the order:-

- i) The application is allowed.
- ii) Applicant – Mahendra Ramesh More, be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in C.R.No.035 of 2022 registered with Rahata Police Station, Ahmednagar, for the offence punishable under Section 302 of the Indian Penal Code, on the conditions that he shall not tamper with the prosecution witnesses and shall not to involve in similar offence.

(S. G. MEHARE, J.)

amj