

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

952 BAIL APPLICATION NO.1637 OF 2022

SUNIL RAMCHANDRA BADHEKAR
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Deshpande Chaitanya C.
APP for Respondent-State : Mr. S. B. Narwade.
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CORAM : S. G. MEHARE, J.
DATE : 13.10.2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant has been roped in a crime for the offence of murder. The bare allegation against the applicant is that he had purchased the wire from the hardware store and supplied to the co-accused. The applicant has been arrested on 16.07.2021. The investigation is completed and the charge sheet has been filed.
3. Learned counsel for the applicant would submit that the applicant had been arraigned as an accused only on the suspicion. Except the allegation of purchasing the wire from hardware store, the prosecution has no evidence against him.

There are no antecedents to his discredit. Hence, he may be released on bail.

4. Learned APP has tried his level best to convince the Court by reading the statements of the witnesses that the applicant was involved in the crime. He has opposed the application contending that the offence is serious. Hence, his application may be dismissed.

5. Perused the charge sheet. The applicant has come with positive case that he had purchased the wire from the hardware shop. But, he did not know for what purpose, it was used by the other co-accused. He was not with the other co-accused. In the statements referred to the learned APP, nowhere the witnesses state that they saw the applicant lastly in the company of deceased. In absence of a strong evidence against the applicant, it would be inappropriate to keep him behind the bar for further period. Considering the allegations levelled against him, he deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.

(ii) The applicant SUNIL RAMCHANDRA BADHEKAR be released on bail on furnishing P.B. and S.B. of Rs.20,000/- (Rupees Twenty Thousand only) with one solvent surety of the like amount, in Crime No.199 of 2021, registered by Police Station Shillegaon, District Aurangabad for the offences punishable under Sections 302, 201, 120-B read with Section 34 of the IPC, on the following conditions :

- (a) He shall not tamper with the prosecution witnesses.
- (b) He shall attend the concerned Court on each material hearing.

(S. G. MEHARE, J.)

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vmk/-