

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 2200 OF 2021

Ramakant Lotu Yadav

..Applicant

v/s.

The State of Maharashtra

..Respondents

Mr. Mohammed Umar Kazi for the Applicant.

Mr. M.G.Patil, APP for the State.

CORAM : ANUJA PRABHUDESSAI,J.

DATED : 24th MARCH, 2022.

P.C.

1. This is an application for bail filed under Section 439 Cr.P.C. by the aforesaid Applicant, who is facing trial for offences under Section 302, 120B, 201, 404, 182 r/w. 34 of Indian Penal Code, in Sessions Case No. 192 of 2019 pending on the file of the Sessions Court, Kalyan.

2. Heard Mr. Kazi, learned Counsel for the applicant and Shri Patil, learned APP for the State. I have perused the records and considered the submissions advanced by the learned Counsel for the

respective parties.

3. The records prima facie reveal that a dead body of an unknown lady was found hanging on a tree at Kalyan yard. Pursuant to the report lodged by Dayanand S. Yadav, Sub-Inspector attached to Railway Protection Force, ADR 2 of 2019 came to be registered under Section 174 Cr.PC. The identity of the deceased was established as Manita, resident of Uttar Pradesh. The body was handed over to her brother Tirthraj for final rites.

4. The enquiry revealed that the deceased was having extra marital relationship, which was considered to be dishonour to the family. Hence a conspiracy was hatched to eliminate her.

5. In the course of investigation, the CCTV footage from the railway station was retrieved. It showed that the Applicant, his brother and the deceased got down from Kamyani express at Platform No.5, Kalyan Railway Station. Thereafter the deceased and her brother were seen walking towards platform nos.2 and 3, but the subsequent video shows only Applicant and his other person returning without the deceased. The CCTV footage thus indicates that the deceased had traveled with the Applicant by Kamyani

Express. She was last seen in the company of the Applicant, proceeding towards the place of the incident. On the basis of this material, the Applicant was placed under arrest. While in custody, the Applicant made disclosure statement, pursuant to which the clothes of deceased have been recovered.

6. The aforesaid material prima facie shows involvement of the Applicant in commission of the said crime. The Applicant is a resident of Uttar Pradesh. He has no roots in the city. In the event of his release on bail, there is every possibility of the Applicant absconding and not being available for trial.

7. Considering the above facts and circumstances, and the seriousness of the crime, in my considered view, this is not a fit case for release of the accused on bail. Hence the Application is rejected.

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(ANUJA PRABHUDESSAI, J.)