

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3850 OF 2021

Prashant Prakash More ... Applicant

Versus

State of Maharashtra, at the instance of
Kagal Police Station, Kolhapur ... Respondent

WITH

CRIMINAL BAIL APPLICATION NO. 2430 OF 2022

Ganesh Raju Jasood ... Applicant

Versus

State of Maharashtra, at the instance of
Kagal Police Station, Kolhapur ... Respondent

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Mr. Tapan Thatte alongwith Mr. Rahul Chauhan and Mr. Siddhant Deshpande instructed by Mr. Amar Patil for the Applicants.
Mr. A.R. Kapadnis, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 17 OCTOBER 2022

P.C. :-

. These applications are filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicants came to be arrested in Crime No.280 of 2020 registered at Kagal Police Station, for the offence punishable under Sections 302, 201, 120(B) r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicants and the learned APP for the State.

4. The deceased – Geeta Shirgaonkar was the second wife of the accused No.1 – Sagar Shirgaonkar. There was a dispute between Sagar Shirgaonkar and the deceased. It is the case of the prosecution that the accused No.1 - Sagar Shirgaonkar hatched a conspiracy to kill the deceased and he hired accused No.4 Rahul Korane who in turn hired the accused No.5 – Prashant More, applicant in Criminal Bail Application No.3850 of 2022 for committing the murder of the deceased. According to the prosecution, the accused No.5 – Prashant More hired accused No.2 – Akash Pasare and accused No.3 – Ganesh Jasud, applicant in Criminal Bail Application No.2430 of 2022 who eventually committed murder of the deceased.

5. The learned Counsel for the applicants has placed on record a copy of the order dated 29th March 2022 passed by this Court in Criminal Bail Application No.3605 of 2021 by which this Court granted bail to the accused No.1 – Sagar Shirgaonkar. He has also placed on record copy of order dated 23rd June 2021 passed by this Court in Criminal Bail Application No.358 of 2021 by which this Court granted bail to the accused No.4 – Rahul Dattatray Korane.

6. The only incriminating evidence against the present applicants is the statement of co-accused No.2 – Aakash Pasare in which he has stated that present applicants were part of conspiracy. According to

him, the accused No.4 – Rahul Korane was also the part of conspiracy to whom this Court has granted bail. As this Court has released the main accused No.1 – Sagar Shirgaonkar and accused No.4 – Rahul Korane on bail, I am inclined to release the present applicants on bail. Hence, the following order is passed :

- (i) Applications are allowed.
- (ii) The applicant in Criminal Bail Application No.3850 of 2022 - Prashant Prakash More and the applicant in Criminal Bail Application No. 2430 of 2022 - Ganesh Raju Jasood be released on bail in Crime No.280 of 2020 registered at Kagal Police Station, for the offence punishable under Sections 302, 201, 120(B) r/w. 34 of Indian Penal Code on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
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