

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3105 OF 2022

Mallikarjun Shivappa Pujari ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr. Ranjeet Patil for the Applicant.

Mr. Amit Palkar, APP for the State.

.....

CORAM : N.R. BORKAR, J.

DATED : 9 DECEMBER 2022

P.C. :-

This is an application under Section 439 of Code of Criminal Procedure.

2. The applicant came to arrested in Crime No. 64 of 2022 registered at Umadi police station for the offences punishable under Sections 302 of the Indian Penal Code.

3. The deceased was father of the present applicant. According to the prosecution on 23 February 2022, the present applicant committed the murder of the deceased as he used to insult and humiliate him.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

5. The learned counsel for the applicant submits that the case is based on circumstantial evidence and only incriminating evidence against the present applicant is extra judicial confession and recovery of stick. It is submitted that the applicant is the only earning person in the family consisting of his wife and two children.

6. On the other hand the learned APP for the respondent-State submits that the applicant is involved in serious offence of murder. It is submitted that considering the nature of offence the present applicant may not be released on bail.

7. Admittedly, the case is based on circumstantial evidence. Considering the facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 64 of 2022 registered at Umadi police station for the offences punishable under Sections 302 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)