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

CRIMINAL BAIL APPLICATION NO. 50 OF 2022

Ganesh @ Dattatray Pandurang Chavan ..Applicant

V/s

The State of Maharashtra ..Respondent

Mr. Satyavrat Joshi i/by Sunil Kamble, for the Applicant.

Ms. Geeta P. Mulekar, APP for the Respondent/State.

CORAM: NITIN W. SAMBRE, J.

DATE: SEPTEMBER 28, 2022

P.C.:-

1] Applicant is seeking regular bail in Crime No. 1354 of 2018 registered with Yawat Police Station, Baramati punishable under Section 302 of the Indian Penal Code.

2] On 6/12/2018, dead body was discovered which has resulted into registration of FIR of which investigation has led to arrest of the Applicant. Applicant after his arrest on 29/1/2019 has been charge-sheeted in the matter.

3] The case of the Applicant is, entire prosecution story is based on circumstantial evidence. There is no motive attributed to the Applicant in the offence. It is claimed that even if offence is registered on 5/12/2018, there is delay in arresting the Applicant and that being so, Applicant deserves to be released on bail

4] Learned APP would oppose the prayer based on the investigation carried out.

5] It appears that deceased eloped with the Applicant on the motor-cycle while she was with her sister. As such, after the Applicant was apprehended, in test identification parade Applicant was identified by the said witness. In custodial interrogation, there is recovery of blood-stained clothes at the behest of the Applicant as also belongings of the deceased. The aforesaid circumstantial evidence directly connects the Applicant to the offence in question. In view of the aforesaid evidence, prima facie involvement of the Applicant in the offence alleged against him can be inferred. Application for bail stands rejected.

6] Application is disposed of.

(NITIN W. SAMBRE, J.)