

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.136 OF 2023

DINESH BAPURAO MURKHE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Vikram S. Kadam
APP for Respondent : Mr. S. P. Deshmukh
...

CORAM : S. G. MEHARE, J.

DATE : 08-02-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The prosecution case is that the dead body of the deceased was found lying on the roadside. The uncle of the deceased considered he was died of over drinking liquor and sunstroke. After that, it was revealed that the deceased died of the head injury. The complainant raised suspicion over the applicant that the deceased and the applicant had quarrel, and therefore, he might have killed him.
3. The prosecution has no circumstantial evidence except the suspicious against the applicant. Nothing has been recovered from the applicant. In absence of circumstantial evidence, it would

be inappropriate to keep the applicant behind bar. Therefore, he deserves bail. Hence, the following order :-

- i) Application is allowed.
- ii) Applicant Dinesh Bapurao Murkhe be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in C.R.No.114 of 2020 registered with Police Station, Mahur, District Nanded, for the offences punishable under Sections 302 and 201 read with Section 34 of the Indian Penal Code, on the conditions that He shall not tamper with the prosecution witnesses.

(S. G. MEHARE)
JUDGE

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