

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.155 OF 2023

BALAJI BHAGWAN KURUDE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Swapnil S. Rathi
APP for Respondent : Mr. K. S. Patil
...

CORAM : S. G. MEHARE, J.

DATE : 01-02-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P for the respondent/State.
2. The prosecution case rests upon the sole circumstance that the deceased was found in the well owned by the applicant. To corroborate this allegation, the prosecution has no evidence. The record reveals that soon after the applicant came to know about missing of the victim, he gave call to her parents. Her parents also took her search. The applicant had lodged the missing report. The prosecution had a suspicious against the applicant that he killed her. However, for want of corroborative evidence, the prosecution story needs to be proved on evidence to be tested before the trial Court. The marriage was performed before 12 years back. In the 10 years there were no complaints. Barely dead body was found

in the well owned by the applicant, may not be the ground to refuse the bail. Hence, the following order:-

- (i) The bail application is allowed.
- (ii) Applicant Balaji Bhagwan Kurude be released on bail on executing P.B. and S.B. of Rs.50,000/- with one solvent surety in the like amount in connection with C.R.No.220 of 2021, registered with Kurunda Police Station, Taluka Basmath, District Hingoli, for the offence punishable under Sections 302 and 201 of the Indian Penal Code.

(S. G. MEHARE)
JUDGE

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