

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.106 OF 2023

PAWAN NAWAL MALI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Abhaysinh K. Bhosle
APP for Respondent : Mr. S. B. Narwade

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957 BAIL APPLICATION NO.201 OF 2023

1. RAVINDRA ANANDA KOLI
2. MAYUR KASHINATH WAKADE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Jitendra V. Patil
APP for Respondent : Mr. K. S. Patil
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CORAM : S. G. MEHARE, J.
DATE : 08-02-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.Ps. for the respondent/State.
2. The allegation against applicant Pawan Nawal Mali is that after the incident, he kept live cartridges and the pistol from the co-accused. The allegation against applicant Ravindra Ananda Koli is that he burnt the cloths and disappeared the evidence. The allegation against applicant Mayur Kashinath Wakade is that he purchased the pistol from the co-accused.
3. On the basis of the alleged report against the applicants, the learned counsels have vehemently argued that they are not actually participants in the crime. The so-called weapons have been seized from them. They had no concern with the alleged incident. The chargesheet has been filed. Therefore, they may be granted bail.

4. The learned A.P.Ps. have vehemently argued that the applicants had knowledge about the incident. They supported the main accused. Therefore, they are equally responsible for the murder of the deceased. The offence is serious. Hence, they may not be granted bail.

5. The offence is apparently serious. It is a case of honour killing. A girl and a boy, who were in love, have been killed. However, the role attributed to the applicants have to be considered. Their role is limited to possess and purchase the pistol, live cartridges and burn the cloths. He may be charged for the offence punishable under Section 201 of the Indian Penal Code.

6. In view of the role attributed to them, the Court is of the view that they may be granted bail. Hence, the following order:-

- i) Applications are allowed.
- ii) Applicant Pawan Nawal Mali in B.A.No.106 of 2023 and applicants Nos. (1) Ravindra Ananda Koli and (2) Mayur Kashinath Wakade in B.A.No.201 of 2023, be released on bail, on furnishing PB and SB of Rs.50,000/- each, with one solvent surety of the like amount, in F.I.R./C.R.No.331 of 2022 registered with Chopda City Police Station, Taluka Chopda, District Jalgaon, for the offences punishable under Sections 302, 323, 504, 201 and 120B read with Section 34 of the Indian Penal Code and Sections 3/25 and 7/25 of the Arms Act, on the conditions that;
 - (a) They shall not tamper with the prosecution witnesses;
 - (b) They shall attend the trial on each effective date.

(S. G. MEHARE, J.)