

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.601 OF 2023

VIJAY GORAKH PATIL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. N. S. Ghanekar, Mr. M. M. Rapanwad
APP for Respondent : Mr. S. B. Narwade
...

CORAM : S. G. MEHARE, J.

DATE : 19-04-2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The applicant is claiming bail in C.R.No.67 of 2022 registered with Bhoom Police Station, District Osmanabad, for the offence punishable under Sections 302, 201, 341 read with Section 34 of the Indian Penal Code.
3. The report was lodged against unknown person as the body of the deceased was found lying in the lake. However, on suspicion, the co-accused was arrested and he took the name of the application in his statement under Section 27 of the Indian Evidence Act. After the arrest of the applicant, the Investigating Officer could not collect incriminating evidence against the

applicant. For want of *prima facie* incriminating evidence against the applicant and showing his involvement in the crime, it would be inappropriate to keep him behind bar. Hence, the following order:-

- i) Application is allowed.
- ii) Applicant Vijay Gorakh Patil 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.67 of 2022 registered with Bhoom Police Station, District Osmanabad, for the offence punishable under Sections 302, 201, 341 read with Section 34 of the Indian Penal Code, on the conditions that;
 - (a) He shall not tamper with the prosecution witnesses and
 - (b) He has shall attend the trial on each and every material date.

**(S. G. MEHARE)
JUDGE**

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