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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**BAIL APPLICATION NO.884 OF 2023
WITH APPLN/2211/2023 IN BA/884/2023**

**MURLI S/O GUNWAT HAKE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Lavte Amar Vinayakrao
APP for Respondent/State : Ms. V.N. Patil Jadhav
Advocate for Complainant/Assist to PP : Mr. Anand S. Deshpande h/f
Mr. S.P. Ade

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CORAM : S.G. MEHARE, J.

DATED : JUNE 27, 2023

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the complainant..
2. The applicant is seeking bail in Crime No.290 of 2022 registered with Ambajogai Rural Police Station, District Beed for the offence punishable under Section 302, 201, 34 of the Indian Penal Code.
3. It is a case of circumstantial evidence. The prosecution has the evidence of extra judicial confession. However, the telephonic communication between the co-accused and the brother of the deceased is not available with the prosecution. Nothing has been recovered from the applicant. The applicant has been arraigned as an accused on the suspicion that he had the grievance against the

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deceased of having relationship with his wife before his marriage. No strong circumstantial evidence is available against the applicant. Hence, he deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Murli Gunwant Hake, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with the above crime, on the conditions that he shall not tamper with the prosecution witnesses.
- (iii) The applicant shall attend the trial on each effective date.
- (iv) The applicant shall stay away from village Chichkhandi, Taluka Ambajogai, District Beed for three months from the date of his release.
- (v) Criminal Application No.2211 of 2023 is allowed.

(S.G. MEHARE, J.)