

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

BAIL APPLICATION NO.907 OF 2023

**SATISH RAMDAS DAREKAR
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr. Rahul R. Karpe
APP for Respondent/State : Ms. V.N. Patil Jadhav
...

CORAM : S.G. MEHARE, J.

DATED : JUNE 13, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant is seeking bail in Crime No.1025 of 2022 registered with Shrigonda Police Station, District Ahmednagar for the offence punishable under Section 302, 201 r/w 34 of Indian Penal Code.
3. The prosecution has a case that the deceased and the accused were working together. On the day of the incident they were together. The deceased was demanding money for his work. Hence, the accused in conspiracy assaulted him mercilessly and he died of the multiple injuries. He had around 12 injuries on his person. The motive is clear. The offence is serious. The circumstances are deadly against the applicant.

4. Per contra, the learned counsel for the applicant would submit that the false story was concocted that one car came and left the deceased near his house. In first report, there were no allegations against the applicant. However subsequently, after few hours, the report has been lodged making the allegations as mentioned above. It has also been argued that the injured has the injuries on one side of the body only. All the injuries were possible due to accident. The applicant never had intention to kill the deceased. The investigation has been completed. Nothing is remained to be recovered from the applicant. There are two views possible. Hence, he may be granted bail.

5. In the first statement of the complainant, there were no allegations. However, after few hours, the complainant has given information in detail disclosing the communication between him and his brother before the incident. Considering the facts of the case and the nature of the injuries, there is scope to believe that the deceased might have had a vehicular accident, but the accused failed to discharge their sincere duty to take him to the hospital. However, there is nothing who brought him to the home. The investigation has been completed. Nothing is to be recovered from the applicant. No purpose would be served keeping the applicant behind bar. Hence, he deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Satish Ramdas Darekar, 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.

(S.G. MEHARE, J.)