

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

946 BAIL APPLICATION NO.978 OF 2023

ASHOK S/O BALSHIRAM PHAPALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Palnitkar Sanket Shantaram,
Mr. Shantanu S. Dhumal.
APP for Respondent-State : Mr. Y. G. Gujrathi.
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CORAM : S. G. MEHARE, J.
DATE : 23.06.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail in Crime No.562 of 2022, registered at Akole Police Station, District Ahmednagar, for the offences punishable under Sections 302, 201, 394 read with Section 34 of the IPC.
3. It is a case of circumstantial evidence. The name of the applicant came to the light in the statement of the co-accused. The applicant and the deceased had no business or transaction ever before the alleged incident. Nothing incriminating is collected from him except recovery of the golden ring, which

was belonging to the deceased. However, the motive of the crime as regards the incident against the applicant needs examination. The applicant is languishing in jail since 01.12.2022. There are no antecedents against the applicant. The trial may take its time. Therefore, granting bail to the applicant would cause no harm to the prosecution. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **ASHOK S/O BALSHIRAM PHAPALE** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.562 of 2022, registered at Akole Police Station, District Ahmednagar, for the offences punishable under Sections 302, 201, 394 read with Section 34 of the IPC, on the following conditions :
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) He shall attend the trial on each and every effective date and take care that the trial

shall not protract for the under trial co-
accused.

(S. G. MEHARE, J.)

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vmk/-