

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

946 BAIL APPLICATION NO.1181 OF 2023

SATISH MAHADEV BARKUL
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Salunke Sudarshan J.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 25.07.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant, who is the father of the deceased is seeking bail in Crime No.41 of 2023, registered with Yermala Police Station, District Osmanabad, for the offence punishable under Section 302 of the IPC.
3. The material collected against the applicant reveals that the deceased was addicted to liquor and had relationship with a woman. The deceased was always threatening and abusing the family members. He was asking the applicant to transfer the land in his name, as he was intending to pay the money to his so called keep. The material further reveals that the dead

body of the deceased was covered in plastic sheet. The applicant was also there. He removed the plastic and stones lying on the head of the deceased. That time, the blood might have stuck to his shirt. There is no direct evidence against the applicant.

4. Considering the facts and circumstances of the case, learned counsel for the applicant has correctly pointed out that the involvement of the applicant is not fully supported with evidence. There were no antecedents to the discredit of the applicant. Even otherwise, the circumstances have been taken as it is, it appears that it was the deceased, who had harassed the family members. Therefore, the incident might have been happened out of anger. Nothing is to be recovered from the applicant. The trial may be take its time. No harm would be caused to the prosecution, if the applicant is released on bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SATISH MAHADEV BARKUL** 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.41 of 2023,

registered with Yermala Police Station, District Osmanabad, for the offence punishable under Section 302 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.

(S. G. MEHARE, J.)

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vmk/-