

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

910 BAIL APPLICATION NO.1750 OF 2022

SONU @ SAGAR LAXMAN KURHADE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Bobde Sopan G. Shital Yadav
APP for Respondent State: Mr. S. P. Sonpawale

CORAM : S. G. MEHARE, J.

DATE : 5th JANUARY, 2023

ORDER:

1. Heard learned counsel for the applicant, learned APP for the State.
2. The prosecution case is that the applicant, deceased and one witness Dipak alias Loknath went to Kopargaon on two wheeler to leave Dipak @ Loknath at the railway station Kopargaon. In the midway, they went to the house of sister of the deceased. They had dinner there and all of them left for Kopargaon. Brother-in-law of the deceased confirmed from the deceased that they were at Kopargaon railway station at 1.20 a.m. Most of the witness on last seen together are in close relations with the deceased and first informant. Surprisingly enough, the investigation officer did not examine witness Dipak @ Loknath whom the deceased left at Koperagaon railway

station. The charge sheet also does not find his statement. The reason best known to the investigating officer why he did not examine him though he was a prime witness. Rest are complainant and his family members. In the absence of such prime evidence, it would be difficult to keep the applicant behind bars. Hence following order:

O R D E R

- i. The bail application is allowed.
- ii. The applicant Sonu @ Sagar Laxman Kurhade be released on bail on executing P. R. and S.B. of Rs.50,000/- with one solvent surety of the like amount in connection with Crime No. 212/2022 registered with Shillegaon Police Station, District Aurangabad for the offences punishable under sections 302, 201 of the Indian Penal Code.

(S. G. MEHARE, J.)

JPChavan