

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

35 BAIL APPLICATION NO.2059 OF 2022

SOMINATH RAJDHAR KHANDVE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Deshpande Chaitanya C.
APP for Respondent-State : Mr. S. P. Deshmukh.
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CORAM : S. G. MEHARE, J.
DATE : 09.01.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is the brother of the wife of the deceased. The deceased was found lying dead at about 70 km. away from the place of his residence. The applicant has been arraigned alleging that since the deceased was asking him to allow to marry with another woman, the applicant got annoyed and strangled him with scarf.
3. Perused the papers. The prosecution has no evidence that the applicant was last seen in the company of the deceased. Except his statement under Section 27 of the Indian Evidence Act, nothing is there. For want of the cogent evidence and

peculiar circumstances, it would be inappropriate to keep the applicant behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SOMINATH RAJDHAR KHANDVE** 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.08 of 2022, registered by Police Station Pishor, Tal. Kannad, District Aurangabad, for the offence punishable under Sections 302, 201, 120-B, 109, 203 read with Section 34 of the IPC, on the condition not to tamper with the prosecution witnesses.

(S. G. MEHARE, J.)

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vmk/-