

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

BAIL APPLICATION NO.2075 OF 2022

**VISHAL NAMDEO GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. Patil Vinod Prakash & Mr. Savale Rahul
Prabhakar

APP for Respondent/State : Mr. S.P. Deshmukh

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CORAM : S.G. MEHARE, J.

DATED : JANUARY 23, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant has been arraigned as an accused on the confessional statement of the co-accused. The learned APP would submit that a shirt was recovered from the applicant and it was sent to chemical analysis. However, he fairly submitted that the recovered shirt was not blood stained. So it cannot be said that it is a incriminating circumstances against the accused. Except the statement of the co-accused, there is nothing against the applicant. Therefore, he deserve the bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.

(2)

(ii) The applicant, Vishal Namdeo Gaikwad, 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 Crime No.179 of 2022, registered at Gangapur Police Station, District Aurangabad for the offence punishable under Section 302, 201, 120B read with Section 34 of the Indian Penal Code on the condition that he shall not tamper with the prosecution witnesses.

(iii) The applicant shall attend the trial on each effective date of hearing.

(S.G. MEHARE, J.)

Mujaheed//