

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

943 BAIL APPLICATION NO.6 OF 2023

MAHADEV BHANUDAS KHARPUDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Majit S. Shaikh h/f Mr. S.S.
Deshmukh
APP for Respondents: : Mr. S. P. Deshmukh

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CORAM : S.G. MEHARE J.
DATE : 13.01.2023.

PER COURT :-

Heard the learned counsel for the applicant and learned APP for the respondent-State.

2. The allegations against the applicant are that the so called eyewitness saw him present near the body of the deceased. This Court, while granting bail to co-accused Sudhir Kharpude, expressed a view that the conduct of so called witness is unnatural. The weapon has already been recovered. The investigation has been completed. There are no antecedents to his discredit. The role attributed to the present applicant is similar to the role attributed to co-accused Sudhir, who has been granted bail. Hence, the parity may be extended to him. Hence, the following order:-

ORDER

- (I) The Bail Application is allowed.
- (ii) Applicant Mahadev Bhanudas Kharpude be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in Crime No. 114 of 2022, registered with Paranda Police Station, District Osmanabad for the offence punishable under Section 302 read with Section 34 of the Indian Penal Code on the condition that he shall not enter his village Songiri, Tq. Paranda, District Osmanabad for the period of six months from the date of his release.

(S.G. MEHARE J.)

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