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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 50 OF 2023

Onkar A. Rithe ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Mr. N. S. Khedkar for the Applicant.
Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 13.03.2023.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No.427 of 2022 registered at Bharti Vidyapeeth Police Station, Pune for the offences punishable under Sections 302, 201, 202, 109, 114, 115, 404, 506 read with 34 of the Indian Penal Code.
3. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.
4. According to the prosecution, on the date of alleged incident which took place on 26 June 2022, the present applicant and other co-accused assaulted the deceased by fist and kick blows as dispute arose between them on account of parking of vehicles. According to the prosecution, due to said assault the deceased got injured and died due to shock and hemorrhage due to laceration of spleen associated with head injury.

5. I have perused the statements of eye-witnesses. *Prima facie*, the incident does not appear to be premeditated. There are no other criminal antecedents. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 427 of 2022 registered at Bharti Vidyapeeth Police Station, Pune for the offences punishable under Sections 302, 201, 202, 109, 114, 115, 404, 506 read with 34 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

[N.R.BORKAR, J.]