

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 343 OF 2022

Hemant Baburao Wadekar ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Satyam Nimbalkar alongwith Mr. Abhishek Arote, Mr. Omkar Chitale
and Mr. Ashish Kachole for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 16 FEBRUARY 2023

P.C. :-

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in Crime No. 4 of 2021 registered at Khed Police Station, Pune for the offences punishable under Section 302 r/w. 34 of Indian Penal Code.

3. I have heard the learned Counsel for the applicant and the learned APP for the State.

4. According to the prosecution, the present applicant and other

co-accused committed the murder of the deceased on account of dispute in relation to some land/financial transaction.

5. I have perused the statement of Sameer Balasaheb Kotwal. It appears from his statement that the motive for the alleged crime is attributed to the co-accused Sunil Pawar. The case is based on circumstantial evidence. The applicant is in jail for more than two years. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Hemant Baburao Wadekar be released on bail in Crime No. 4 of 2021 registered at Khed Police Station, Pune for the offences punishable under Section 302 r/w. 34 of Indian Penal Code, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station once in a month i.e. on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
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