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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.335 OF 2023

PINTU TARARAM PARMAR ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Shailesh Kharat for the applicant.
Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 6, 2023

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 302, 394, 449 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered on 02.01.2020 vide C.R. No.04 of 2020 with Lonavala Police Station.
- 3.** There are in all three accused. The applicant is the accused no.3. The applicant was arrested on 06.03.2020. The accusation is that the accused were known to the deceased who was an old lady. The accused Nos.1 and 2

went to the house of the deceased and rang the door bell. Taking disadvantage of the fact that the accused were acquainted with the deceased, they entered the house and asked her to bring water as they were thirsty. The accused Nos.1 and 2 held her hands and strangled her neck. The victim died. The robbery of gold and silver ornaments was committed thereafter. The present applicant who is the accused No.3 was keeping a watch outside the house at the time of crime.

4. Learned APP submitted that there is a statement of one witness who has seen the present applicant standing outside the house moving in a suspicious condition. It is further submitted that the statement of the witness who is the employer of the present applicant reveals the conduct of the applicant before and after the incident suspicious. Learned APP submitted that the murder was committed in a very brutal manner and this is a case where a conspiracy hatched between all the accused with the common intention to commit the murder of the victim.

5. The applicant is a permanent resident of Rajasthan.

He was arrested on 06.03.2020. The applicant is in custody for more than three years and six months with no possibility of the trial concluding any time soon. To allay the apprehension of learned APP that the applicant may be at flight risk stringent conditions can be imposed. Considering the role of the applicant and the fact that the applicant is in custody for more than three years and six months, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant-Pintu Tararam Parmar in connection with C.R. No.04 of 2020 registered with Lonavala Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) The applicant shall attend the Investigating Officer of Lonavala Police Station twice a month on the first and third Monday of every month between 11.00 a.m. to 1.00 p.m.
- (d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person

acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall not leave Pune district without the leave of the trial Court.

6. The application is disposed of.

(M. S. KARNIK, J.)