



Diksha Rane

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

BAIL APPLICATION NO.923/2023

YOGESH RAJU PAWAR

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. K. K. Holambe Patil a/w. Adv. Nitin S. Murkute, Adv.
Vishal G. Shirsat for the applicant.

Mr. N. B. Patil, APP for the State.

PI Jaydeep Gaikwad, Yerwada Police Station.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 25, 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, 201, 363, 120-B read with
34 of the Indian Penal Code (hereafter 'IPC' for short)
registered on 5/10/2022 vide C.R. No.521/2022 with Nehru
Nagar Police Station.

3. The date of the incident is 5/10/2022. It is the
accusation that the accused who are four in number killed
the deceased. It is the allegation of the prosecution that the

deceased had an affair with the present applicant who is the accused no.4. The accused no.1 is the wife of the present applicant. As per the materials on record, it is the prosecution case that the accused nos.1, 2 and 3 are the actual assailants who killed the deceased.

4. *Prima facie*, there are no incriminating materials against the present applicant though learned APP opposed the application for bail.

5. The applicant was arrested on 7/10/2022 and now is in custody for more than one year with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Yogesh Raju Pawar in connection with C.R. No.521/2022 registered with Nehru Nagar Police Station, shall be released on bail on his/her furnishing P.R. Bond of Rs.50,000/- with one or more solvent sureties in the

like amount.

(c) The applicant shall attend the Investigating Officer of Nehru Nagar police station once a month every first Monday, between 11.00 a.m. and 1.00 p.m. till the trial concludes.

(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 attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The applicant shall surrender his passport, if any, to the investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)