

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1214 OF 2022

Suraj @ Pappu Subhash Ovol ... Applicant

Versus

The State of Maharashtra ... Respondent

.....

Ms. Shubhangi Parulekar for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 9 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. 845 of 2018 registered at Yawat Police Station, Pune for the offences punishable under sections 302, 201, 120(B), 364(A), 365 r/w 34 of the Indian Penal Code and section 3 r/w 25 of the Indian Arms Act.

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

4. The applicant was working as a driver with the deceased. It is alleged that dispute arose between them on account of less payment of salary. It is alleged that the present applicant thus on 5 September 2018 abducted the deceased and committed his murder by throttling him.

5. The opinion of the Autopsy Surgeon as to cause of death reads thus :

“The exact cause of death cannot be opined due to advance decomposition.”

6. The case is based on circumstantial evidence. The applicant is in jail for more than five 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 - Suraj @ Pappu Subhash Ovol be released on bail in Crime No. 845 of 2018 registered at Yawat Police Station, Pune for the offences punishable under Sections 302, 201, 120(B), 364(A), 365 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.

(ii) 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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