



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

BAIL APPLICATION NO. 1311 OF 2023

VINOD ARJUN PAWAR

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Mr. Nitin Gaware Patil h/f Mr. Umesh Mankapure, for the Applicant.
Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 06, 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 of the Indian Penal Code registered vide C.R. No.326 of 2022 dated 01/07/2022 with Vita Police Station, Sangli.
- 3.** Learned APP opposed the application for bail contending that there is an eye-witness.
- 4.** The date of the incident is 30/06/2022. The applicant was arrested on 02/07/2022. The applicant is the real brother of the

deceased. On the date of the incident, the deceased came to the house of the applicant and started abusing his wife. The deceased was drunk. After the applicant came home, the deceased pushed him. There was some altercation between them. Thereafter deceased went to his room and got an iron object (iron coconut peeling machine) from his room and assaulted the applicant with the object on his stomach. The applicant suffered injuries. From the version of the complainant who is the mother of the present applicant, it seems that the applicant then grabbed the said iron object from the deceased, pushed the deceased on the floor and hit the deceased on his head 2-3 times. The applicant retaliated after he was assaulted by the deceased. Thereafter the applicant called for ambulance and admitted the victim in the hospital. The victim died the next day.

5. In the facts and circumstances of the present case, though learned APP opposed the application, in my opinion, considering the nature of the accusations and the manner in which the unfortunate incident took place, the applicant can be enlarged on bail. There are no criminal antecedents reported against the applicant. In the facts and circumstances of the case, as investigation is complete and charge-sheet filed, the applicant can be enlarged on bail. Hence, the

following order. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant-Vinod Arjun Pawar in connection with C.R. No. 326 of 2022 registered with Vita Police Station, District-Sangli 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 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.

6. The application is disposed of.

(M. S. KARNIK, J.)