

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1904 OF 2022**

Amir Shankar Jadhav

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Nitin Gangal a/w Mr. Ashok Kadam i/b Mr. Rupesh Bhalsankar for
the Applicant.

Ms Rutuja Ambekar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 20 JANUARY 2023

P.C. :-

This is an application under Section 439 of Code of Criminal
Procedure for bail.

2. The applicant came to be arrested in Crime No. 87 of 2021
registered at Mahad police station for the offences punishable under
Sections 302, 376, 201 of the Indian Penal Code.

3. I have heard the learned counsel for the applicant and the learned
APP for the respondent-State.

4. It appears that on 27 December 2021 the dead body of the deceased
was found in the forest area of Ubhatwadi, where according to the
prosecution, the deceased had gone to bring firewood. According to the

prosecution, the applicant committed the alleged crime due to previous dispute.

5. Prima facie, there appears to be no material in the charge-sheet in relation to allege rape. The case is based on circumstantial evidence. The only incriminating material against the applicant is alleged recovery of blood stained clothes. 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 shall be released on bail in Crime No. 87 of 2021 registered at Mahad police station for the offences punishable under Sections 302, 376, 201 of the Indian Penal Code on furnishing PR 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 that is on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

(N.R. BORKAR, J.)