

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2282 OF 2022**

Satyam Raju Chamare ...Applicant
Versus
The State of Maharashtra ...Respondent

WITH

BAIL APPLICATION NO. 107 OF 2023

Rahul Balu Warghade ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Aniket Vagal a/w Mr. Kunal Pednekar for the Applicant.
Mr. Amit Palkar, APP for the State in BA/2282/2022.
Ms Veera Shinde, APP for the State in BA/107/2022.

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CORAM : N.R. BORKAR, J.

DATED : 2 FEBRUARY 2023

P.C. :-

The applicants who are accused in Crime No. 1002 of 2020 registered at Lonikand Police Station, Pune for the offences punishable under Sections 302, 307, 364, 201, 120-B read with 34 of the Indian Penal Code and are at present in judicial custody, have filed these applications under Section 439 of the Code of Criminal Procedure for bail.

2. I have heard the learned counsel for the applicants and the learned APP for the respondent-State.

3. According to the prosecution, the deceased was a social worker. He intimated about the illegal business activities of the applicants and other

co-accused due to which they were prosecuted. It is alleged that they thus entered into conspiracy and committed the murder of the deceased by assaulting him by axe, koyata etc.

4. There are eye-witnesses to the alleged incident. However, it appears that assailants were not known to the eye-witnesses. According to the prosecution, the present applicants were amongst those, who assaulted the deceased. In such circumstances, Test Identification Parade ought to have been conducted after the arrest of the applicants. However, the same is not done. In that view of the matter, I am inclined to release the applicants on bail. Hence, the following order is passed:

- (i) Applications are allowed.
- (ii) The applicants shall be released on bail in Crime No. 1002 of 2020 registered at Lonikand Police Station, Pune for the offences punishable under Sections 302, 307, 364, 201, 120-B read with 34 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- each with one or two sureties in the like amount.

(N.R. BORKAR, J.)