

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2191 OF 2022

[1] Indubai Mangalsingh Marabi
[2] Mangalsingh Mahusingh Marabi ... Applicants

Versus

The State of Maharashtra ... Respondent

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Mr. Aniket Vagal alongwith Mr. Kunal Pednekar and Mr. Divesh Mehani
for the Applicants.

Mr. S.S. Hulke, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 20 JANUARY 2023

P.C. :-

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicants came to be arrested in Crime No. 91 of 2019 registered at Hadapsar Police Station, Pune for the offence punishable under Sections 302, 324 r/w. 34 of Indian Penal Code.

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

4. On the date of incident which took place on 16 January 2019, the applicants and the deceased were working as contract labourers with Railway and were staying at Labour Camp, Hadapsar, Pune. It is alleged that on the date of alleged incident, due to previous dispute, the present applicants assaulted the deceased by sticks, while he was sleeping in the said labour camp and committed his murder.

5. The case is based on circumstantial evidence. The applicants are in jail for more than four years. Considering the facts and circumstances of the case, I am inclined to release the applicants on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicants – [1] Indubai Mangalsingh Marabi and [2] Mangalsingh Mahusingh Marabi be released on bail in Crime No. 91 of 2019 registered at Hadapsar Police Station, Pune for the offence punishable under Sections 302, 324 r/w. 34 of Indian Penal Code on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
PRASHANT
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