

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3773 OF 2021**

Sachin Ganpat Lande

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Sangram Suryawanshi for the Applicant.

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

.....

CORAM : N.R. BORKAR, J.

DATED : 12 JANUARY 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 270 of 2020 registered at Ghodegaon police station for the offences punishable under Sections 363, 365, 323, 302 read with 34 of the Indian Penal Code.

3. The present applicant is accused No. 2 in the aforesaid crime. The deceased had illicit relationship with the mother of the accused No. 1. It is alleged that thus the accused No. 1 in connivance with the accused No. 2 committed the murder of the deceased.

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

5. There are eye-witnesses to the incident. However, as the applicant was not known to them the test identification parade was conducted and in the test identification parade out of four witnesses only one witness had identified the present applicant. No motive is attributed to the present applicant. The applicant is in jail for approximately two years. Considering the 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- Sachin Ganpat Lande shall be released on bail in Crime No. 270 of 2020 registered at Ghodegaon police station for the offences punishable under Sections 363, 365, 323, 302 read with 34 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 i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

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signed by
MANGALTAI
JAYWANT
JADHAV
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(N.R. BORKAR, J.)