



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

BAIL APPLICATION NO. 2692 OF 2023

RAVINDRA SURESH PIMPALE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Mr. S.T. Pandey a/w Mr. Arvind Singh, Ritu Singh, Anima Mishra, Anuj Singh, Kajal Upadhyay, Nagesh Avhad, Pushpam i/b SBG Law, for the Applicant.

Mr. N.B. Patil, APP for the State.

API-Mr. S.Y. Patil, Mhasrul Police Station, Nashik present.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 26, 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, 120(b) read with 34 of the Indian Penal Code, 1860 registered on 13/01/2023 vide C.R. No.13 of 2023 with Mhasrul police station, District-Nashik.
- 3.** The applicant was arrested on 13/01/2023. The applicant is the accused no. 3. Accused no.1 is the real brother of the deceased-Dyaneshwar. There were some disputes over the immovable property viz. agricultural land. The accusations are that the accused

no.1 – Deepal took help of the accused no.2-Khandu in securing the aid of accused nos. 3 and 4 for eliminating Dnyaneshwar. The date of the incident is 13/01/2023. The prosecution case is that the deceased Dyaneshwar was killed with wooden stick and iron rod. There is recovery at the instance of the accused no.1. There is no recovery at the instance of the present applicant who is the accused no.3.

4. Learned APP opposed the application and submitted that the present applicant has taken part in the actual assault. However, the case is completely based on circumstantial evidence. The car belonging to the applicant have been seized. Prima facie, there are no incriminating materials against the present applicant except for the memorandum statement of the co-accused Deepak implicating the applicant.

5. Having regard to the nature of the accusations and the materials, in my opinion, in the facts and circumstances of the present case, the applicant can be enlarged on bail. The applicant is in custody for more than 10 months with no possibility of the trial commencing and concluding any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. I am inclined to enlarge

the applicant on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.

- (b) The applicant- Ravindra Suresh Pimpale in connection with C.R. No. 13 of 2023 registered with Mhasrul, District Nashik police station 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 attend the investigating officer of Mhasrul, District Nashik police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

- (d) 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.

- (f) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The applicant shall surrender his passport, if any, to the investigating officer.

6. The application is disposed of.

(M. S. KARNIK, J.)