

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3 OF 2022**

Bharat Devachand Mochi

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Chandrakant Chandratre for the Applicant.

Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 15 MARCH 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 106 of 2020 registered at Chandwad Police Station, Nashik for the offences punishable under Sections 302, 201, 120-B r/w 34 of the Indian Penal Code.

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

4. The present applicant is accused No. 3 in the aforesaid crime. The deceased was the wife of the accused. According to the prosecution, the accused No. 1 had suspicion about the character of the deceased. It is alleged that on the date of incident, which took place on 14 June 2020, the

present applicant alongwith other co-accused committed the murder of the deceased at the instance of accused by strangulating her.

5. The case is based on circumstantial evidence. This Court by order dated 1 September 2021 in Criminal Bail Application 1183 of 2020 granted bail to the accused No. 1. The applicant is in jail for more than three years. There are no other criminal antecedents.

6. 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. 106 of 2020 registered at Chandwad Police Station, Nashik for the offences punishable under Sections 302, 201, 120-B r/w 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 the trial.

(N.R. BORKAR, J.)