



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

BAIL APPLICATION NO. 3892 OF 2023

RAHUL ASHOK JADHAV ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Anandmaya Dhorde a/w Adv. Shantanu Kolhe Patil i/b
Adv. Nitin Gaware Patil for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 11, 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 201, 302 read with 34 of the Indian Penal Code registered on 06/03/2023 vide C.R. No.94 of 2023 with Dighi Police Station, Pimpri Chinchwad.
- 3.** The date of the alleged incident is 05/03/2023. The applicant was arrested on 06/03/2023. There are in all 3 accused. The applicant is accused No.2. Accused Nos. 1 and 3 are the real brother and mother of the applicant

respectively. The deceased was the father of the applicant. It is the case of the prosecution that the deceased was not happy with the relationship of accused No.1 with some lady and he, therefore, scolded accused No.1. Accused No.1 got annoyed and strangled the deceased with a rope. Even as per the prosecution's case, the main assailant is accused No.1

4. Learned APP while opposing the application submitted that accused Nos. 2 i.e. the present applicant and 3 took the dead body to the hospital and left it there. It is further submitted that accused Nos. 2 and 3 helped accused No.1 in destroying the evidence.

5. In the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail. The case against the applicant is entirely based on circumstantial evidence. There are no criminal antecedents reported against the applicant. The applicant is in custody for 9 months as an undertrial. The charge has not been framed. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Rahul Ashok Jadhav in connection with C.R. No.94 of 2023 registered with Dighi 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 is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.
- (d) The applicant shall attend the Investigating Officer of Dighi police station as and when called.
- (e) 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.
- (f) 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.
- (g) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.
- (h) The applicant shall surrender his passport to the

investigating officer. If the applicant does not have a passport, he shall file an affidavit before the trial Court to that effect.

- 6.** The application is disposed of.

(M. S. KARNIK, J.)