



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1001 BAIL APPLICATION NO. 1 OF 2024

Siddheshwar Ashok Khadake

VERSUS

The State of Maharashtra

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Advocate for Applicant : Mr. Sudarshan J. Salunke

APP for Respondents: Mr. Satish A. Gaikwad

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 27th FEBRUARY, 2024.

PER COURT :-

1. This is an application for granting bail under section 439 of the Cr.P.C. in connection with crime No. 0173 of 2023 registered with Dharur police station, District Beed for the offences punishable under Sections 302, 201, 506 r.w. 34 of the I.P.C. His application below Exh. 24 in Sessions Case 282 of 2023 with similar prayer came to be rejected by the learned Additional Sessions Judge, Kaij, vide order dated 29.11.2023.

2. It is averred in the report that brother in law of this applicant Vikas Shivaji Bhosle was addicted to liquor. He used to beat his wife and used to quarrel with her frequently. He was treated for de-addiction in the de-addiction Center at Latur. However, after some days, he again addicted to liquor. He used to commit thefts. Therefore, this applicant beaten him for some times but he used to threat to his wife that he will eliminate her. On 2.6.2022, the

applicant beaten him. Therefore, he went to his mother. Thereafter, he went away and on second day his dead body was found in a agricultural lake of one Ramesh Adaskar. Mother of the deceased therefore, lodged a report that the applicant and the wife of Vikas committed his murder and thrown his body in the dry lake.

3. Learned advocate for the applicant submitted that the applicant is falsely implicated in the crime. Co-accused is released on bail. There is no eye witness to the incident. The applicant has roots in the society. The applicant will not flee away from the trial. The trial will take long period. It is lastly prayed to allow the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and pointed out the post mortem report, panchnama of seizure of the clothes of the applicant, having blood stains and the statements of witnesses who lastly saw the applicant in the company of Vikas. He submitted that the applicant is booked in serious crime of murder. It is lastly prayed to reject the application.

5. Perused the charge sheet, particularly the report and the statements of the witnesses. Without adverting to the merits of the case, considering the facts and circumstances of the case and that the applicant has roots in the society, he will not flee away from trial, the trial will take long period, he has no criminal antecedents, the application deserves to be allowed on certain conditions. Hence, the

following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. 0173 of 2023 registered with Dharur police station, District Beed for the offences punishable under Sections 302, 201, 506 r.w. 34 of the I.P.C. be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following condition:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the prosecution witnesses, in any manner.

(SANJAY A. DESHMUKH, J.)

rlj/