



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 BAIL APPLICATION NO. 42 OF 2024

Ashok Munja Katare

..APPLICANT

-VERSUS-

The State of Maharashtra

..RESPONDENT

...

Advocate for Applicant : Ms. Lomte Ashwini Annasaheb

APP for Respondent/State : Mr. Mukesh K. Goyanka

.....

CORAM : SANJAY A. DESHMUKH, J.
DATED : 30th JANUARY, 2024.

PER COURT :-

1. The applicant is seeking bail in connection with crime No.210 of 2023 registered with Police Station, Dindrud, Dist. Beed, for the offences punishable under sections 302, 201 of the Indian Penal Code.

2. P.S.I. Police Station, Daithana averred in the report that on 16.09.2023, one Rajaram Chavan informed that body of unknown person is floating under the bridge of Indrayani river adjacent to village Daithana. Accordingly, he went there with panchas. Dead body was taken out. It was in decompose position. It was brought for postmortem. Postmortem was conducted. The injuries were found around the neck and head of the father of this applicant, which was

identified by mother of this applicant.

3. The learned advocate for the applicant submitted that the applicant is falsely implicated in the crime. There is no motive for commission of the offence. The applicant is young boy of the deceased of 24 years old. His statement is recorded by the Police, which is not admissible. The applicant has roots in the society. He will not flee away from the trial. Trial would take long period. It is lastly prayed for allowing this application.

4. The learned APP for the respondent/State strongly opposed the application and submitted that there is strong circumstantial evidence against the applicant. The applicant has committed murder of his father, who was addicted to liquor. Though evidence of eye witnesses are not available, circumstantial evidence is strong. There is prima facie material evidence against the applicant. Considering the serious nature of the case, the application be rejected.

5. Perused the report and the charge-sheet. Without entering into the merits of the case, the applicant is resident of village Dindrud, Tq. Majalgaon, Dist. Beed, he has no criminal antecedents, the case is based on circumstantial evidence, therefore, no question of pressurizing the prosecution witnesses will arise. The trial would take long period. Considering all these aspects, 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.210 of 2023 registered with Police Station, Dindrud, Dist. Beed, for the offences punishable under sections 302, 201 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.50,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence in any manner.

(SANJAY A. DESHMUKH, J.)

sga