



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1008 BAIL APPLICATION NO. 218 OF 2024

Pravin Pundlik Golait
VERSUS
The State of Maharashtra

...
Advocate for Applicant : Ms. Akshara S. Madake
APP for Respondents: Mrs. Pratibha J. Bharad

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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. 0298 of 2023 registered with Supa police station, District Ahmednagar for the offences punishable under Sections 302, 177 of the I.P.C. His application with similar prayer bearing Misc. bail application No. 1463 of 2023 came to be rejected by the learned Additional Sessions Judge, Ahmednagar, vide order dated 26.10.2023.

2. It is averred in the report that a quarrel took place between applicant and deceased Khandu, who was a waiter in a Hotel Sandeep situated at Supa. On 19.6.2023 this applicant took deceased Khandu near to the rest house at Supa and assaulted on his head by iron pipe and thrown him in a Nala. A report was lodged against this applicant on 1.7.2023.

3. Learned advocate for the applicant submitted that the applicant is falsely implicated in the crime. He has roots in the society. He will not flee away from trial. The trial will take a 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 that the statements of witnesses showing motive that prior to the incident of murder, a quarrel took place between the applicant and deceased Khandu. There is CCTV footage showing that both were last seen together. Considering all these aspects, the applicant was working in the hotel by changing his name. The applicant is arrested in a serious crime of murder. It is lastly prayed to reject the application.

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

O R D E R

I. Application is allowed.

- II. The applicant in connection with crime No. 0298 of 2023 registered with Supa police station, District Ahmednagar for the offences punishable under Sections 302, 177 of the I.P.C. 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 tamper with the prosecution evidence and shall not pressurize the prosecution witnesses, in any manner.
 - b) If the applicant do not attend the trial or not follow the above conditions, the trial court is at liberty to proceed to cancel his bail without reference to this Court.

(SANJAY A. DESHMUKH, J.)

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