



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1 BAIL APPLICATION NO. 287 OF 2024

1. Gajanansinh Vijaysinh Chauhan
2. Vinod Parasram Gedam
3. Devrao Laxman Kursange

..APPLICANTS

-VERSUS-

The State of Maharashtra

..RESPONDENT

...
Advocate for Applicants : Mr. Suraj R. Bagal h/f Mr.Gadegaonkar
Bharat N.

APP for Respondent/State : Mrs.Pratibha J. Bharad

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 4th MARCH, 2024.

PER COURT :-

1. The applicants are seeking bail under section 439 of the Criminal Procedure Code, 1973 (for short, "Cr.P.C."). The applicants have been arrested in connection with crime No. 03 of 2024 registered with police station, Mandavi, Tq. Kinwat, Dist. Nanded, for the offences punishable under Sections 304, 201 read with 34 of the Indian Penal Code.

2. It is averred in the report that applicant no.1 – Gajanansinh is having agriculture land. There is water well having electric connection. There is earthing wire near to that electricity

supply motor. Rama Lachma Atram went there and sustained electrocution and died on the spot. Thereafter, dead body was picked up with the help of applicant nos.2 and 3 and kept on the boundary of agriculture land of one Gangadhar Sudamji Maraskolhe. Thereafter in the investigation it was revealed that applicants lay that electric current to earthing wire, and therefore, Rama Atram sustained that electric shock and died.

3. The learned advocate for the applicants submitted that the practical investigation is over. The applicants have roots in the society. The applicants have no criminal antecedents. They will not flee away from the trial. Considering the facts and circumstances of the case, he prayed for granting bail.

4. The learned APP for the State strongly opposed the application and submitted that there are statements of the witnesses which shows that the applicants tried to disappearance of the evidence by keeping dead body on the boundary of the agricultural land of one Gangadhar Maraskolhe. This shows that the applicants are involved in the serious crime. It is lastly prayed to reject the application.

5. Perused the papers of investigation. Papers of

investigation shows that the statements of witnesses are recorded. Spot panchanama is drawn up. Custody of the applicants is not necessary for further investigation. The applicants have roots in the society. They have no criminal antecedents. Therefore, considering the nature of the crime, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicants in connection with crime No. 03 of 2024 registered with police station, Mandavi, Tq. Kinwat, Dist. Nanded, for the offences punishable under Sections 304, 201 read with 34 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.25,000/- each with one surety of the like amount by each of them on following conditions:-
 - a) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- III. If the applicants are not cooperating for the trial and remaining absent, the trial Court is at liberty to proceed further to cancel their bail without reference to this Court.

(SANJAY A. DESHMUKH, J.)