



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1000 BAIL APPLICATION NO. 321 OF 2024

Natvar Ojarya Pawra
VERSUS
The State of Maharashtra

...
Advocate for Applicant : Mr. Jain Gajendra Devichand
APP for Respondents: Mr. Mukesh K. Goyanka

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 1st MARCH, 2024.

PER COURT :-

1. This is an application for granting bail under section 439 of the Cr.P.C. in connection with crime No. 0231 of 2023 registered with Dhadgaon police station, District Nandurbar for the offences punishable under Sections 302 of the I.P.C. His application with similar prayer bearing regular bail application No. 5 of 2024 came to be rejected by the learned Additional Sessions Judge, Shahada vide order dated 23.01.2024.

2. It is averred in the report that the informant is father of deceased Amarsingh. Deceased Amarsingh was addicted to liquor. On 13.10.2023, a quarrel took place between the applicant and the informant. On the second day of quarrel i.e. on 14.10.2023, Amarsingh did not turn to the house. Therefore, a search was taken out. On 15.10.2023 dead body of Amarsingh was found in a valley having 18 injuries. Therefore, a report was lodged against the

applicant that Amarsingh, under the influence of liquor, made hue and cry in front of the house of the applicant. Therefore, the applicant was enraged and he threw him in the valley.

3. Learned advocate for the applicant submitted that there is no material against the applicant. The applicant is falsely implicated in the crime. He has roots in the society. He will not flee away from the trial. The trial will take a long period. He therefore prayed for allowing the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application and submitted that the applicant is involved in serious crime of murder. Deceased Amarsingh was having more than 18 injuries on his body. He therefore, prayed for rejection of the application.

5. Perused the charge sheet, particularly, the report, statements of witnesses, post mortem report and spot panchanama. There is no evidence of last seen of this applicant with deceased Amarsingh. Mere a quarrel took place between the applicant and the informant is not sufficient to constitute the alleged motive for commission of murder of deceased Amarsingh i.e. the son of the informant. Apart from merit of the case, considering the facts and circumstances of the case, the applicant has roots in the society. He will not flee away from trial. The trial will take a long time. The application therefore,

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. 0231 of 2023 registered with Dhadgaon police station, District Nandurbar for the offences punishable under Sections 302 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.

(SANJAY A. DESHMUKH, J.)

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