



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 364 OF 2024

DATTATRAYA NAGNATH LONDHE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocatge for Applicant : Mr. P. P. More
APP for Respondent : Mr. S. P. Sonpawale
...

CORAM : S. G. MEHARE, J.

DATE : 26-08-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent.
2. The applicant seeks bail in C.R.No.108 of 2023 registered with Gategaon Police Station, District Latur, for the offences punishable under Sections 302, 341, 120B and 504 read with Section 34 of the Indian Penal Code.
3. The prosecution has a case that the wife and mother-in-law of the deceased hired applicant - Dattatraya and co-accused Rajendra to kill the deceased. The applicant was present with the co-accused. He assaulted the deceased. Before the incident, he contact with the co-accused.
4. The learned counsel for the applicant submits that the

prosecution has no evidence that the applicant was in contact with co-accused – Rajendra, wife and mother-in-law of the deceased. Only on the basis of confessional statement of co-accused, he has been arraigned as an accused. Nothing is recovered from him. Hence, he may be granted bail.

5. The learned A.P.P. has referred to various statements of the witnesses. He argued that the applicant and co-accused Rajendra were close friends. They went together on the spot with a vehicle of one Satpute. It was pretended that it was vehicular accident. However, subsequently, it was transpired that, the wife and mother-in-law of the deceased killed him with the help of the applicant and other co-accused. The applicant was present all the time with the co-accused. He actually participated in committing crime. The offence is serious. Hence, he may not be granted bail.

6. Perused the papers.

7. The prosecution has no *prima facie* material to show that the applicant had contacted immediately before the incident with co-accused Rajendra or other co-accused. Nothing is recovered from him. Only on the basis of confessional statement of co-accused, he has been arraigned as accused. Appreciating the material collected against him, the Court is of the view that he has a good case for bail. Hence, the order;

ORDER

- i) The bail application is allowed.
- ii) Applicant – Dattatraya Nagnath Londhe be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
 - (a) He should not tamper with the prosecution witnesses.
 - (b) He should attend the trial on each and every date.
 - (c) He should not facilitate the other co-accused to have a ground for bail on delaying the trial.
- iii) The parties are directed to co-operate with the trial Court to conclude the trial in a reasonable period.

(S. G. MEHARE)
JUDGE

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