

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 571 OF 2024

Bhausahab @ Barku Rakhama

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Bhide Vinod Y.

APP for Respondent/State : Ms. P.R. Bharaswadkar

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CORAM : S.G. MEHARE, J.

DATED : JULY 04, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.562 of 2022 registered with Akole Police Station, District Ahmednagar for the offence punishable under Sections 302, 394, 201 r/w 34 of the Indian Penal Code.
3. The prosecution case is based on extra judicial confession. However, the dead body which was allegedly buried was not recovered at the instance of applicant. Nothing is recovered from him except the recovery under Section 27 of the Indian Evidence Act. The allegations levelled against the applicant as per extra judicial confession is he assisted the co-accused to disappear the dead body. At this juncture, the material evidence against the applicant is deficit.

The case is based on circumstantial evidence and the extra judicial confession. The co-accused has also been granted bail. Further detention of applicant appears not essential. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Bhausahab @ Barku Rakhama, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The applicant shall not tamper with the prosecution witnesses and shall attend the trial on each and every date.

(S.G. MEHARE, J.)