

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 755 OF 2024

Ramakant Dagadu @ Bhairu Shinde

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Yogesh G. Birajdar h/f Mr. Shinde
Namdev Shatrughan

APP for Respondent/State : Mr. S.M. Ghanachari

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CORAM : S.G. MEHARE, J.

DATED : JUNE 12, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The FIR is in three parts. The first part is of the arrival of the step sister and her son on the spot, assailing the first informant and his fleeing away from the spot. The second part is the search of the deceased father by the first informant. He find him led resting to the Gram Panchayat gate, and last part is again the applicant and other co-accused hold the deceased and another co-accused chopped the deceased.
3. Learned counsel for the applicant has vehemently argued that the applicant has been falsely implicated in the crime. They had a dispute over the land. In fact, there is no role attributed to the applicant but few days later to the incident, some witnesses have been

planted. The false allegations of the presence of the applicant on the spot of the incident has also been levelled. No weapon has been recovered from the applicant. He being a step niece of the complainant, has been falsely implicated in the crime. The applicant is languishing in jail since 01.04.2024.

4. The learned APP produced the investigation papers before the Court and read some statements of the so-called witnesses and tried to point out that the applicant caught hold the deceased and facilitated the other co-accused to chop him. However, there appears no material on record to support the contention to satisfy the Court at this juncture. The applicant has undergone the police custody remand. Nothing has been recovered from him. However, there is material to show that that he was present on the spot of the incident. But what role he has attributed is doubtful.

5. Considering the previous enmity, the grounds of false involvement cannot be thrown at its threshold. There are no antecedents to the discredit of the applicant. Nothing is to be recovered from him. Hence, he may be granted bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.

(3)

- (ii) Applicant, Ramakant Dagadu @ Bhairu Shinde, be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in Crime No.75 of 2024 registered with Bhada Police Station, District Latur for the offence punishable under Sections 302, 323 r/w 34 of the Indian Penal Code, on the conditions that;
- (a) The applicant shall attend the concerned police station on every Monday and Friday between 10.00 am to 01.00 pm till filing of the charge sheet.
- (b) The applicant shall not tamper with the prosecution witnesses.

(S.G. MEHARE, J.)