



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

BAIL APPLICATION NO. 780 OF 2024

GOVIND SUDAM TALEKAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Satej S. Jadhav
APP for Respondent : Mr. S. D. Ghayal
...

CORAM : S. G. MEHARE, J.

DATE : 21-06-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. The applicant seeks bail in C.R.No.219 of 2023 registered with Nanalpeth Police Station, District Parbhani, for the offences punishable under Sections 302, 143, 147, 148, 149, 120B, 201 of the Indian Penal Code.
3. The submission of the learned counsel for the applicant is that the applicant has been arraigned as accused on the statement of the co-accused and false recovery of the alleged weapon in the crime. The Investigating Officer recorded the statements of the witnesses as they were the eyewitnesses but it is not the case of the eyewitnesses and the last seen together. Except recovery of the alleged weapon which was not stained with blood, there was nothing against the applicant. The applicant has no concern with the alleged incident.

4. Learned A.P.P. has opposed the application and submits that a strong circumstantial evidence of recovery of the weapon at the instance of applicant is available with the prosecution. In the circumstances, the circumstantial evidence is the best material to attribute the role of each applicants.

5. There appears a substance in the submission of the learned counsel for the applicant that except for recovery at the instance of the applicant and statement of the co-accused, there is nothing against the applicant. The evidentiary value of the recovery of weapon at his instance may be appreciated during the trial. The chargesheet has been filed. Nothing is to be recovered from the applicant. There are no antecedents to his discredit. Hence, the order :-

ORDER

- i) The application is allowed.
- ii) Applicant Govind Sudam Talekar 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 shall not tamper with the prosecution witnesses.
 - (b) He shall attend the trial on each and every date.

**(S. G. MEHARE)
JUDGE**