



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

21 BAIL APPLICATION NO. 1422 OF 2024

VINOD @ RAJU BADRILAL RAWAT

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Kulkarni Ashutosh S. (Appointed
Through Legal Aid).

APP for Respondents-State : Mr. S. P. Sonpawale.

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CORAM : S. G. MEHARE, J.

DATE : 23.09.2024

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondents-State.
2. The applicant seeks bail in Crime No.120 of 2023, registered with Gondi Police Station, District Jalna, for the offences punishable under Sections 302, 201 of the IPC.
3. Prosecution case in brief is that the applicant was the cleaner with the deceased driver. The deceased was found dead in the cabin of the truck having serious injuries. The applicant disappeared then. After the arrest of the applicant, it has been transpired that the applicant was the author of committing the murder. At his instance, the spanner which was used for killing the deceased was recovered. The evidence collected shows that

the applicant threw the clothes he wore and purchased the new clothes.

4. Learned counsel for the applicant has argued that there is no direct evidence of last seen together. No blood stained clothes were recovered at his instance. The spanner allegedly used is a common instrument found in every motor vehicle. Since there is a contradiction about the knowledge of the incident it creates a serious doubt. There are no antecedents to the discredit of the applicant. Hence, he may be granted bail.

5. Learned APP submits that it was a brutal murder. The circumstances clearly establishes that the applicant was with the deceased. He was a cleaner. Cleaner always to be with the driver. The recovery of the spanner at his instance from another place is a strong circumstance against him. Therefore, he does not deserves bail.

6. Perused the papers. There appears substance in the argument of the learned APP that the applicant was the person who was lastly seen with the deceased. At this juncture, the recovery of the spanner at his instance from different place and throwing the clothes are the corroborating circumstances to believe the prosecution case. *Prima facie* sufficient material is available against the applicant. The offence is serious. The

apprehension of the prosecution that the applicant may flee away has also the force.

7. For the above reasons, the bail application stands dismissed.

8. The Secretary, High Court Legal Services, Sub-Committee, Aurangabad do pay the legal fees to advocate Mr. Kulkarni appearing for the applicant, as per the schedule.

(S. G. MEHARE, J.)

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vmk/-