



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 BAIL APPLICATION NO. 1947 OF 2023

Dhiraj Govind Mule

..APPLICANT

-VERSUS-

1. The State of Maharashtra
2. The Superintendent of Police

..RESPONDENTS

Advocate for Applicant : Mr. Deshmukh Mohit R.

APP for Respondent/State : Mr.Satish A. Gaikwad

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 16th JANUARY, 2024.

PER COURT :-

1. The applicant is seeking regular bail in connection with crime No. 0046/2023 registered with Police Station, Latur (Gramin), for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code and under sections 3 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act. The applicant is prosecuted for the aforesaid offences on the allegations that he has committed murder of his real brother by pistol in his house between intervening night of 06.02.2023 and 07.02.2023. The applicant was arrested on 08.02.2023. The report was lodged by PSI Pratibha Thakur of Police Station, Latur (Rural).

2. Learned advocate for the applicant submitted that there is no motive for commission of murder on the part of this applicant. The

applicant is the only bread earner in the family. He has roots in the society. Investigation is over. He will not flee away from the trial. There is no eye witness to the incident. He lastely prayed for granting bail.

3. The learned APP for the State pointed out the bail application of the applicant to show that on the relevant date, he was there in his house. He further pointed out the statements of the witnesses from which it reveals that on the relevant date, he was present in the village at Batkheda, Tq. & Dist. Latur and in his own house.

4. Perused the charge-sheet, particularly, the statements of the witnesses, P.M. report and the copy of the leave application of this applicant, which reveals that the applicant was present at the time of alleged incident of murder in that village as he was on leave. The applicant has no criminal antecedents. He has roots in the society. He will not flee away from the trial. The custody of the applicant is not required for further investigation, if any. Practical investigation is over. Trial will take long period. Considering the nature of the crime and facts and circumstances of the case, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. 0046/2023 registered with Police Station, Latur (Gramin), for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code and under sections 3 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act, be released on bail on furnishing personal bond of Rs.50,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not pressurize the witnesses and shall not tamper with the prosecution evidence in any manner.
 - b) The applicant shall attend the trial Court regularly.

(SANJAY A. DESHMUKH, J.)

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