



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 BAIL APPLICATION NO. 2108 OF 2023

Pramod @ Chotu Bhimrao Nannaware

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Advocate for Applicant : Mr. B.S. Deshmukh

APP for Respondent/State : Mrs.Pratibha J. Bharad

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**CORAM : SANJAY A. DESHMUKH, J.
DATED : 11th JANUARY, 2024.**

PER COURT :-

1. The applicant is seeking bail in connection with crime No.204 of 2023 registered with Dharangaon Police Station, Tq.Dharangaon, Dist. Jalgaon, for the offence punishable under Sections 302 of the Indian Penal Code.

2. It is averred in the report that his son Ashish was found dead in the bed of river near to the village Bambhori, Tq.Dharangaon, Dist. Jalgaon. They all rushed to the river. He sustained injury to his head. Report was lodged against the unknown persons. Thereafter, this applicant was arrested.

3. The learned advocate for the applicant pointed out that supplementary statements of the informant and mother of the deceased Ashish, Manjulabai were recorded on 13.07.2023 after 20

days of the incident, in which it is stated that there was quarrel between deceased Ashish and this applicant, which took place on 14th April, 2023 on account of displaying poster of Dr. Babasaheb Ambedkar in front of house of this applicant. It is further alleged that the applicant threatened him that he will eliminate him.

4. The learned advocate for the applicant submitted that the statement of witness Amol Patil is not tallying with the CCTV camera timing. The learned advocate for the applicant submitted that the applicant is falsely implicated in the crime. He prayed for bail.

5. The learned APP for the respondent – State pointed out the statements of the witnesses and postmortem report. The learned APP pointed out the seizure panchanama of weapon i.e. iron rod, which is seized at the instance of this applicant. Blood stained clothes of the applicant were seized under seizure panchanama. Considering serious nature of crime, learned APP for the State submitted to reject the application.

6. Perused the charge-sheet. The motive as stated by the informant and mother of the deceased is that on account of displaying the poster of Dr. Babasaheb Ambedkar quarrel took place between the applicant and deceased Ashish on 14.04.2023. However, the statements are recorded after 20 days of lodging of the report. The applicant has no criminal antecedents. He has roots in the society. Trial would take long period. Considering the nature of

the crime and the facts and circumstances of the case, the application deserves to be allowed on certain conditions. Hence the following order :

ORDER

- I. Application is allowed.
- II. The applicant in connection with crime No.204 of 2023 registered with Dharangaon Police Station, Tq. Dharangaon, Dist. Jalgaon, for the offence punishable under Sections 302 of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.25,000/- with surety of the like amount on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the prosecution witnesses, in any manner.
 - b) The applicant shall not enter into village Bambhri, Tq.Dharangaon, Dist. Jalgaon till the decision of the case.
 - c) The observations made hereinabove are prima facie in nature and for deciding the bail application only.

(SANJAY A. DESHMUKH, J.)