

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1114 OF 2024

Jyoti Prakash Londhe ...Applicants

Vs.

The State of Maharashtra ...Respondent

Mr. Satyavarat Joshi i/b Ms. Disha Rathod, Advocate for Applicant.

Mr. P. H. Gaikwad, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 29th AUGUST, 2024

PG:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.249 of 2023 registered with Vita Police Station, Sangali for the offences punishable under Sections 302, 364, 363, 201, 120-B read with Section 34 of the Indian Penal Code, 1860.

3) In the present matter, only on the basis of some of the statements, which say that there were illicit relations between the applicant and the co-accused, prima facie the prosecution has drawn an inference that the applicant is also involved in the alleged offence. There is no evidence to show there was any conspiracy hatched by the applicant and the co-accused together to eliminate the deceased child.

4) In the circumstances, as there is no evidence against the applicant, though the learned APP is strongly opposing the application and relying upon the statements of witnesses stating relations between the applicant and the co-accused, I am of the opinion that the applicant is entitled for grant of bail. Hence I pass the following order.

ORDER

- i. The Bail Application is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No.249 of 2023 registered with Vita Police Station, Sangali for the offences punishable under Sections 302, 364, 363, 201, 120-B read with Section 34 of the Indian Penal Code, 1860, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;
- iii The applicant shall attend the said Police Station on 1st and 16th day of every month between 9.00 am and 10.00 am till the conclusion of the trial except on the date of trial;

- v. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- vi. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;
- vii. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- viii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]