

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.97 OF 2024

Pradip Kailash Pidage, Age 23 years,
Occ.Service, R/o.Aadgaon/Sugaon,
Tal.Purna, District Parbhani
(Presently at Central Jail, Yerwada)

Applicant

versus

The State of Maharashtra

Respondent

Mr.ankush G.Waghde, Advocate for Applicant.

Mr.Sameer Mangaonkar, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 5th September 2024

PC :

1. Heard.

2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.604 of 2022 registered with Ranjangaon MIDC Police Station, District Pune, for the offences punishable under Sections 302, 34 of the Indian Penal Code.

3. Learned counsel for Applicant submits that the whole case is based on circumstantial evidence and there is no direct evidence available against Applicant. In the circumstances he submits that since charge sheet has been filed, further custody of Applicant is not necessary. On the other hand, learned APP strongly opposed the application.

4. I have gone through the charge sheet and relevant material collected by the Investigating Officer during investigation. It is found

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that the offence is very serious. There is recovery of motorcycle and blood stained clothes of Applicant. Furthermore it has come on record that after commission of the offence, the co-accused transferred Rs.25,000/- in the account of Applicant. In addition to this there is an extra-judicial confession given to one of the witnesses by Applicant. Moreover, after commission of the offence, the Applicant did not return to his home and tried to flee away to his native place.

5. Thus, considering the above referred evidence I am of the opinion that, prima facie, there is sufficient evidence to show the complicity of Applicant in the alleged offence. In the circumstances I do not find that this is a fit case for grant of bail. The application is rejected.

6. However, considering the period of incarceration of Applicant, trial is expedited.

(ANIL S.KILOR, J.)

MST