

4. The applicant is in jail from 28.12.2023 and in the meantime, the charge-sheet has been filed. Having gone through the charge-sheet, it is evident that no injury was found on the body of the deceased in the post-mortem. There is no mention of even simple nature of the injury. The allegations made in the complaint are based on hearsay information.

5. Thus, considering the evidence available on record, which *prima facie* does not show the involvement of the applicant in the alleged offence. Therefore, though the offence is registered under Section 302 of IPC in absence of any *prima facie* evidence against the applicant, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in Crime No.333 of 2023, registered with Trimbakeshvar Police Station, for the offences punishable under Sections 302, 304(B) and 34 of the Indian Penal Code, (for short, 'IPC'), on furnishing P.R.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;
- iii) The applicant shall attend the Police Station on 1st day of every month between 10.00a.m to 11.00

a.m., till the conclusion of the trial except on the date of trial;

iv) 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;

v) Liberty is granted the State to apply for cancellation of bail if the applicant commits similar offence.

vi) The applicant shall attend the trial before the Special Court regularly on every date unless exemption is granted by the Special Court.

6. The Criminal Application is **disposed of** accordingly.

(ANIL S. KILOR, J)