

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.2036 OF 2024

Rajaram @ Dada Baburao Shejal ... Applicant
V/s.

The State of Maharashtra ... Respondent

Dr. Uday Warunjikar a/w Ms. Sonali Chavan, for the applicant.
Mr. Sameer Mangaonkar, APP, for the Respondent / State.

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CORAM : ANIL S. KILOR, J.

DATE : 3RD 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.807 of 2022, registered with Mangalwedha Police Station, Solapur Rural for the offences punishable under Sections 302 of the Indian Penal Code and Section 3 and 25 of the Indian Arms Act.
3. The whole case is based on circumstantial evidence, except the statement of the minor daughter of the applicant which was recorded on 27.10.2022 i.e. after 4 days of the incident, no direct evidence is available to prima facie show that the applicant is involved in the alleged offence.

4. In the above referred backdrop and considering the fact that the charge-sheet has been filed and further the applicant is in jail from last 2 years, I am of the opinion that the further custody of the applicant is not required.

5. In the circumstances, though the learned APP is strongly opposing the application, I pass the following order:

ORDER

(i) Criminal Bail Application is allowed and disposed of;

(ii) It is directed that the applicant shall be released on bail in Crime No.807 of 2022, registered with Mangalwedha Police Station, Solapur Rural for the offences punishable under Sections 302 of the Indian Penal Code and Section 3 and 25 of the Indian Arms Act, on furnishing P.R.Bond of Rupees Twenty-five Thousand with one solvent surety in the like amount;

iii) The applicant shall not enter into the territorial jurisdiction of the Mangalwedha Police Station, till the conclusion of the trial;

iv) The applicant shall provide his address and name of the nearby police station to the IO, which he shall attend the said Police Station on 1st and 16th 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;

- 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 for 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.

(ANIL S. KILOR, J)