

where the deceased died. He pointed out that the Doctor opined that the deceased died due to cardiac arrest and not because of head injury.

4. He further submits that no specific role is attributed to the applicant. He, therefore, submits that since the charge-sheet has been filed, his further custody is not required.

5. The learned APP, on the other hand strongly opposed the application and submits that the opinion expressed by the Doctor of the private hospital was the preliminary opinion. Therefore, it was advised to do postmortem to find out appropriate cause of death. She points out that cause of death is 'head injury' and if the allegations are considered, the involvement of the applicant is apparent. She therefore, prays for rejection of the present application.

6. Having gone through the charge-sheet and the relevant material collected by the IO, during the investigation, it is evident that before approaching the applicant on the spot, the co-accused Pravin, Sagar and Deepak assaulted the deceased Ravindra on his head, forehead and hands by stick and Chhababai by her footwear.

7. The applicant reached the spot subsequently and then in the statement of one of the eye-witnesses Prashant Chavan, he stated that the accused persons then thrashed the deceased and hit his head against the wall. Similar statement of one Abhijeet Tukaram Awate. The cause of death shows due to 'head injury'.

8. In the above-referred backdrop, if it is considered that there was no motive of the applicant or there was no intention of the applicant to commit the murder or to kill the deceased. I am of the opinion that since the charge-sheet has been filed, his further custody is not required.

9. The applicant is an agriculturist having no antecedents, needs to be released on 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 n Crime No.10 of 2024, registered with Vita Police Station, Sangli, for the offences punishable under Sections 302, 307, 324, 504, 506 r/w. 34 of the Indian Penal Code, 1860 (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 said Police Station on 1st day of every month between 10.00a.m to 11.00a.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 to the State to apply for cancellation of bail in case of any breach of condition if the applicant commenced similar offence;

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

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

(ANIL S. KILOR, J)