



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1751 OF 2024

Govinda Suresh Sonar
Age 34 years, Occ. Service,
R/o Gurukul Nagar, Nandurbar,
District Nandurbar.

... Applicant

Versus

The State of Maharashtra,
Through its Police Inspector,
Shahada Police Station,
District Nandurbar.

... Respondent

.....
Mr. N. L. Chaudhari, Advocate for the Applicant.
Mr. C. V. Bhadane, APP for the Respondent-State.
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CORAM : ABHAY S. WAGHWASE, J.

DATE : 28.01.2025

ORDER :

1. Applicant seeks enlargement on bail on account of his arrest in crime no. 0229 of 2024 registered at Shahada Police Station, District Nandurbar for offence under Sections 302, 201, 120-B r/w 34 of IPC.
2. Learned counsel pointed out that applicant is arrested on 19.03.2024 in above crime registered at the instance of his wife on 17.03.2024. He pointed out that apparently, FIR is lodged against unknown persons for committing murder of father of informant. He

further submitted that in supplementary statement of the informant recorded on next day, vague allegations are made that husband was instrumental in making unknown persons make call to father and with his help, her father was murdered. He pointed out that entire case is based on circumstantial evidence and moreover, motive is not clearly coming on record. That, now applicant is behind bars since more than 10 months. Nothing further is to be recovered or discovered at his instance and chargesheet having already filed, learned counsel seeks grant of bail.

3. While opposing the bail application, learned APP pointed out that informant's father has been done to death in cruel manner. After committing murder, body was sought to be destroyed by fire. Investigation revealed applicant's involvement with another person, namely, Nilesh. That, there is recovery of one rod. Therefore, learned APP opposes grant of bail.

4. Heard. Perused the papers. Apparently, FIR at the instance of Bhavna is dated 17.03.2024 alleging that, on hearing from her mother that her father, who went to buy provisions, did not return, on 16.03.2024 police was approached for lodging missing. Informant claims that around 8.00 p.m., she learnt from her brother Pradyumna

about dead body in burnt condition being shown to him and it was of their father. Therefore, crime is registered against unknown person for committing murder of her father.

5. Papers show that on next day, informant gave a supplementary statement that there was marital discord between herself and her husband and they had separated. That, on account of demise of her father-in-law in January 2024 due to heart attack, her husband (present applicant) blamed her for his father's death and threatened that he would not spare her. She further reported in supplementary statement that on 17.03.2024, after lodging report, her mother told her that on 10.03.2024 one unknown person, claiming to be friend of Pradyumna, was insisting deceased by making repeated calls to join for lunch and said person had given phone calls to deceased on 12.03.2024 and 13.03.2024 as a result of which, Pradyumna and deceased went for lunch. On receipt of above information, informant has given supplementary statement against her husband for making unknown person make phone calls to her father and for assisting him in committing murder of her father.

6. Learned APP has fairly submitted that though there is CCTV footage, present applicant does not figure in anywhere and that

recovery of rod is also not at the instance of present applicant, but at the instance of other accused. Precisely taking the same into consideration, and as charge sheet is filed and as nothing is yet shown to be recovered or discovered at his instance, relief as prayed deserves to be granted. Hence, I proceed to pass the following order:

ORDER

- I. The application is allowed.
- II. Applicant Govinda Suresh Sonar be released on bail in connection with Crime No. 0229 of 2024 registered at Shahada Police Station, District Nandurbar, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount.
- III. The applicant shall not tamper prosecution evidence.
- IV. Parties to act on an authenticated copy of this order.

[ABHAY S. WAGHWASE, J.]

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