



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 2362 OF 2024

. Pramod Jalinder Ranmale
Age: 39 years, Occu.: Labour,
R/o. N-53, VH.28/2, Patil Nagar,
Trimurti Chowk, Cidco Nashik,
Tq. & Dist.Nashik.Applicant

Versus

1. The State of Maharashtra
Through its Superintendent of Police,
Dist.Ahmednagar.
2. The Police Inspector,
Kopargaon Rural Police Station,
Tal.Kopargaon, Dist.Ahmednagar.Respondents

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Advocate for Applicant : Mr. Avinash N.Barhate Patil
APP for Respondents: Mr.N.D.Batule
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CORAM : ABHAY S. WAGHWASE, J.

DATE : 3 FEBRUARY, 2025

ORDER :

1. Applicant seeks enlargement on bail on account of his arrest in crime no.0307 of 2024 registered at Kopargaon Rural Police Station, Dist.Ahmednagar, for offence under Sections 302 and 201 of the Indian Penal Code (IPC).

2. Pointing to the date of arrest as 07-09-2024, it is submitted that there is false implication. That, there are mere allegations that applicant accompanied deceased and there was consumption of alcohol. However, he pointed out that, there are further allegation that hyper tension pills were mixed in the alcohol and as deceased died, applicant is involved in a FIR dated 06-09-2024. He further pointed out that alleged occurrence is of 27-06-2023. He further took this Court through the post mortem report and pointed out that death is attributed to “intracerebral hemorrhage” and viscera was preserved for final opinion. He emphasized that, in final opinion on analysis, nothing adverse has been detected except Ethyl Alcohol. He pointed out that, medical opinion was sought by the Investigating Officer putting a query and that Doctor has opined vide communication dated 07-07-2023 that injuries on the person of deceased are possible on account of fall on road. Thus, with such material, learned counsel submits that applicant is behind bars since four month. That, investigation is also over and even chargesheet is filed. When reason for further custody is not shown, learned counsel seeks enlargement on regular bail by imposing conditions deemed fit by this court.

3. Learned APP opposed on the ground that death is due to intracerebral hemorrhage. That applicant was said to be in the company of deceased. That, on thorough investigation, his involvement has emerged and according to him, in view of such serious allegations, he seeks rejection of application.

4. Perused the papers. Apparently FIR at the instance of Rajendra Sambre is dated 06-09-2024 regarding occurrence dated 27-06-2023 and 28-06-2023. Substance of the FIR is that informant's son Abhijit was in the company of applicant and there were quarrels on account of financial transactions. He has reported that he is sure that only because of financial transactions between his son and applicant, his son was made to drink laced alcohol and is thereby responsible for death. Admittedly, there is no direct evidence. Case seems to be based on circumstantial evidence. On visiting the post mortem report, death is found to be attributed to intracerebral hemorrhage and final opinion was reserved for CA report. However, CA reports of viscera and blood dated 10-04-2024, which are placed on record, show detection of Ethyl Alcohol only. Also taking into account the opinion issued by Doctor on query to Investigating Officer dated 07-07-2023, wherein possibility of death due to injury due to fall on

road is not ruled out. With such material available on record and when chargesheet is said to be filed and nothing further is shown to recovered or discovered, application deserves to be allowed. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) Applicant Pramod Jalinder Ranmale be released on bail in connection with Crime no.0307 of 2024 registered with Kopargaon Rural Police Station, Tq.Kopargaon, Dist.Ahmednagar, on executing Personal Bond of Rs.15,000/- with one surety in the like amount.
- (iii) Applicant shall not tamper prosecution evidence.

(ABHAY S. WAGHWASE)
JUDGE