

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.37 OF 2022
WITH
INTERIM APPLICATION NO.145 OF 2022
IN
CRIMINAL APPEAL NO.37 OF 2022**

Shivanand Bhimanna
Munjanwar @ Munjan
R/o Kanmadi, Tal. Vijapur
District Vijapur,
State – Karnataka

.. Appellant/Applicant

vs.

The State of Maharashtra
(At the instance of Sr. PI. Umadi
Police Station, Dist. Sangli

.. Respondent

Mr. Hasan Nizami with Dr. Yug Mohit Chaudhry for the Appellant/
Applicant.

Mr. K. V. Saste Additional PP for the Respondent-State.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATE : 14th JULY, 2025

JUDGMENT (PER SARANG V. KOTWAL, J.)

1) The Appellant had challenged the Judgment and Order dated 22/11/2021 passed by the learned Additional Sessions Judge, Sangli in Sessions Case No.183 of 2016. The learned Judge convicted

the Appellant for commission of offence punishable under Section 302 of the Indian Penal Code, 1860 ('I.P.C.') and sentenced him to suffer life imprisonment and to pay a fine of Rs.5,000/- and in default of payment of fine, to suffer R.I. for one month. The Appellant was given set-off under Section 428 of Cr.P.C. The Appellant was arrested on 16/08/2016 and since then, he is in custody.

2) Heard Mr.Hasan Nazmi, learned Counsel for the Appellant and Mr.K. V. Saste, learned Additional P.P. for the Respondent-State.

3) The prosecution case is that, the deceased Mahadev Kohalli knew the Appellant. There was some financial transaction between them. The deceased Mahadev Kohalli was asking for his money. Therefore, there was some dispute. The incident took place somewhere between 12th and 13th August, 2016. The Appellant and the deceased had gone to attend a Court case at Vijapur. They had met one Advocate there. When both of them were returning, according to the prosecution case, there was some quarrel and the Appellant committed the murder of the deceased by using a sickle. The dead body was found by someone else. The Appellant had concealed the weapon at a different place in a well. He had also concealed the clothes worn by him and

some documents of the deceased in a distant place near the farm house of his brother-in-law in the State of Karnataka. In the meantime, search was conducted for the deceased. After the dead body was found, it was identified and then, the FIR was lodged. The daughter of the deceased expressed suspicion against the Appellant. Subsequently, he was arrested. The investigation continued. As per the prosecution's case, the recovery of all the above articles were effected at the instance of the Appellant. After conclusion of the investigation, the charge-sheet was filed and case was committed before the Court of Sessions. During the trial, the prosecution examined nine witnesses including the daughter of the deceased, the Medical Officer, the Panchas, one person whose mobile phone was used by the Appellant purportedly to call the deceased, the Nodal Officer and the Investigating Officer.

4) The defence of the Appellant was of total denial. According to him, because of pressure of the first informant and her relatives, the witnesses were deposing accordingly. He had no connection with the death of the deceased, he did not have any agricultural land and he did not have any economic transactions with the deceased. He did not have any dispute with the deceased. He did not understand Marathi

and on the basis of a false complaint and a false statement the police prepared false panchnama of the articles and on the basis of that, the police have filed a false charge-sheet against him. That was the defence taken by him.

5) The learned Judge disbelieved this defence. He also discarded the theory of last seen together but he relied on the recovery evidence. He convicted and sentenced the Appellant as mentioned earlier.

6) P.W.1 was the interpreter who assisted the Court in translating the evidence of P.W.2 who did not know Marathi.

7) P.W.2 is an important witness. She was the daughter of the deceased and she had lodged the FIR. She deposed that she was married but because of the dispute with her husband she was staying with her parents and brother. She then deposed about her father's bad relations with her distant Uncles, namely, Shrishailya and Parappa Kohali. There was one civil suit pending in the Court at Vijapur in respect of that dispute. P.W.2's brother's first wife was not staying with P.W.2's brother and she was staying with her parents at Utagi. She had also filed one criminal case in Vijapur Court. P.W.2's father and brother

used to go to Vijapur Court in connection with those cases. The present Appellant was known to her as he was her father's friend. According to her, the Appellant used to visit her house. The Appellant's financial condition was poor. Her father had given three to four lakh rupees to the Appellant by way of a hand loan. Her father used to demand back that money from the Appellant and because of that, there used to be quarrels between them. In spite of that, the Appellant continued visiting their house. He used to tell her father that he would pay the amount shortly and that he would sell the agricultural land to repay the loan.

8) On 11/08/2016, the Appellant had dinner in the house of P.W.1. He had a discussion with P.W.2's father and they decided to go to Vijapur the next day i.e. 12/08/2016. At about 9.00 am, her father had a telephonic conversation with the Appellant and told him that he would go to Bijargi stand and called the Appellant there with a motorcycle. After that P.W.2's father told her that he was going to Vijapur along with the Appellant. According to P.W.2, her father had gone to Vijapur and had not returned. She thought that her father must have stayed at the house of their relatives. Therefore, she did not

make any enquiry. On 13/08/2016 at about 1.00 pm her cousin called her telephonically and enquired about P.W.2's father. She also further informed that there was a dead body of a person lying in a forest at Motewadi and suspected that the dead body could be that of P.W.2's father. P.W.2 came to know that the dead body was taken to hospital at Jath. P.W.2 tried to call her father on his mobile phone but there was no response. She tried to call the Appellant but his phone was switched off. Then, she called the Advocate at Vijapur, who informed her that her father had come to the Court with one person and had left the Court around 4.00 pm. He described that person as wearing a white coloured Dhoti and a Neharu Shirt. He further told that both of them had left together at 4.30 pm on a motorcycle. P.W.2 then went to the Government Hospital at Jath. She identified the dead body and then, she lodged an FIR against the Appellant. The FIR is produced on record at Exh.16. After some days, she was called to the police station. She identified her father's documents, mobile phone, voter's identity card, ST Pass and some cash. She identified the Appellant in the Court. She identified the chappal and cap of her father. She deposed that her statement was recorded under Section 164 in the Court at Jath. That

statement was produced on record at Exh.17. She also identified a mobile handset produced in the Court as being that of her father.

9) In the cross examination, she deposed that her father had two brothers. One Sumitra was wife of her Uncle Parappa and she had filed a suit for partition and separate possession of their joint property. The suit was filed at Vijapur. She also admitted that there was one more suit between her father and Sumitra i.e. wife of Parappa and one Kasutri. This cross examination was conducted to show that there were many other people who had disputes against the deceased and the defence wanted to suggest that there were other persons who were on enemical terms with the deceased. She further admitted in the cross examination that the Appellant and her father did not have any documented transaction. She also admitted that there were no cases pending between her father and the Appellant either civil cases or criminal cases. Importantly, she admitted that during the investigation, the police had demanded identity proof of her father for identification of the dead body of her father. The learned Counsel for the Appellant relied specifically on this admission because according to him, the police had obtained the election card as identity proof and foisted that

recovery on the Appellant. Our attention was brought to the omission from her police statement as there was no mention that the Advocate had told her that the deceased and that other person had left on a motorcycle at 4.30 pm. She could not explain why there was such an omission from the police statement. She had not told the police that her father had given a motorcycle to the Appellant for his use. The FIR is produced at Exh.16. She had mentioned the mobile phone number of the deceased as well as the mobile phone number of the Appellant. This FIR was lodged on 13/08/2016. It was registered vide C.R.No.42 of 2016 at Umadi police station.

10) P.W.3 – Shivaji Sunkhe is also an important witness in this case. He was a pancha for various panchnamas. He deposed that he was called at Umadi police station on 16/08/2014. The Appellant was in custody of the police. The Police Officer told him that the Appellant wanted to tell the pancha something. The Appellant produced one motorcycle, his blood stained shirt and a white colour Dhoti having a blue design on the side. It was also stained with blood. The police seized those articles, they were packed, sealed and labeled. A panchnama was drawn and is produced at Exh.25.

He was again called to the said police station on 18/08/2016. The Appellant made a statement that he was willing to show the place where he had concealed the sickle used for the offence and that he had concealed a mobile handset and the bag having documents of the deceased and a Cap. He showed willingness to produce those Articles. His statement was reduced to writing. The Appellant then led the pancha witnesses and the police officers on Vijapur road, they were traveling in a vehicle and he took them to the State of Karnataka. The Appellant led them to a village at Honwad via Tikota. He took them on a rough road for about 7 to 8 kms and then asked them to stop the vehicle behind a house. The Appellant told them that it was the farm house of his brother-in-law. The Appellant then took them at a distance of 100 meters on a *Bandh*. There were heaps of dry sugar cane waste bundles lying around. The Appellant went near one of those heaps and took out one one white cap from the heap. There were two carry bags inside that cap. Both were opened. The panchas and police found samsung mobile handset from that bag. Its battery was removed. The Appellant disclosed that he had thrown away the sim card. The bags also contained one identity card of the

Appellant and some documents written in Kannad. The panchnama mentions that it was the election identity card of the deceased, there were some other documents written in Kannad. After that the Appellant led them to Kanmadi village and they were again taken through a *kachha* road. He asked them to stop the vehicle at the back side of a house. It was his own house and farm. He led the police and the panchas near a well and told them that he had thrown the sickle in the Well. He went inside the well and took out the sickle which was produced before the Court.

In the cross examination, P.W.3 was asked questions about the work in his office and whether he was really an independent pancha. At one point he was asked whether the person who accompanied them to show the articles, knew Marathi or not. To this specific question, this witness answered that the said person knew Marathi but this witness could not confirm it. He admitted that he had not confirmed whether that person could read and write Marathi. He also admitted that there was no mention of the Cap in the memorandum statement. The Cap was recovered at the time of the recovery panchnama. He also admitted that the said person had not

disclosed that the sickle was thrown inside a Well. He identified all these articles including the clothes produced by the Appellant in the Court. This identification was brought on record after he was recalled and the examination in chief was continued. The panchnama at Exh.27 shows that some documents were recovered from the Appellant's brother-in-law's farm house. Those were the election card of the deceased, ST Pass having the photograph of the deceased, a small diary and other documents.

Two mobile handsets were recovered. Their battery was removed. The IMEI number of both the handsets are mentioned. Besides these articles, there is a reference to an old 'cap' recovered along with those articles. This panchnama was conducted on 18/08/2016 between 11.20 am to 7.00 pm.

11) P.W.4 - Dr. Nilesh Dopare had conducted the post mortem examination on 13/08/2016. There were incised wounds on the right frontal area, anterior part of neck, incised wound on occipital area, incised wound on right neck. All these injuries were serious, grievous and long in dimension. There were injuries on left hand, face, forearm and chest. On the internal examination, it was found that the deceased

had suffered fracture of frontal bone and the cheek bone. There were three fractures on the skull. The death was caused because of all these injuries. The post mortem examination was conducted on 13/08/2016 at 5.00 pm. He admitted that he had not mentioned the age of the injuries and the time in the post mortem report. The post mortem notes are produced on record at Exh.40.

12) P.W.5 – A.P.I. Pravin Sanpange is the Investigating Officer. He was attached to Umadi police station as the P.S.I. He has investigated this offence registered vide C.R.No.42 of 2016 at that police station. On 13/08/2016 there was a call from Umadi police station from Police Patil of Motewadi regarding an unknown dead body that was lying in the forest area. Accordingly, station diary entry was made by P.W.5 and the staff went to the spot. The inquest panchnama was drawn and it is produced on record Exh.49. The dead body was identified after the post mortem examination. One of the relatives of the deceased informed the other relatives. The dead body was identified by the wife of deceased at Rural Hospital Jath. P.W.2 i.e. daughter of deceased expressed her suspicion against the Appellant. She lodged the FIR. The investigation commenced. P.W.5

recorded statements of the witnesses. On 16/08/2016, the Appellant came to the police station. He produced his motorcycle and clothes which he was wearing at the time of the incident. P.W.5 has further deposed that on 18/08/2016 the Appellant gave memorandum statement pursuant to which the weapon, documents and other articles were recovered. He sought opinion of the Medical Officer to ascertain the time of death. However, there is no such opinion produced on record by the prosecution. P.W.5 obtained C.D.R. of the mobile phone of the deceased.

In the cross examination, he deposed that initially accidental death report was registered on 13/08/2016 in respect of death of the deceased. It was based on the information provided by Police Patil Ananda Mote. But his statement was not recorded during the investigation. He deposed in the cross examination that village Sankh was in Taluka Jath. The spot where the dead body was found, was near the village Sankh. He admitted that he could not find any witness who had seen the Appellant and deceased together on the motorcycle from Bijargi to Vijapur. He did not find any documentary evidence showing that the Appellant had taken loan of Rs.3-4 lakhs

from the deceased.

13) P.W.6 - Shivshankar Shegunshi was an interpreter and with his help the deposition of P.W.7 - Dariyappa Mali was recorded. He deposed that on 12/08/2016 he was at a tea stall at Birajdar. The Appellant approached him and requested him to permit him to make a phone call from the mobile phone of this witness. The Appellant made that phone call and returned his handset after that this witness received a phone call on his mobile phone. The caller asked him about the Appellant. By that time the Appellant had already left. Importantly, there is no further investigation in respect of the C.D.R. of phone of this witness. Therefore, there is a loose end regarding caller on his phone and the phone number of the caller. There is no evidence to show that the Appellant had made a phone call to the deceased.

14) P.W.8 – API, Umakant Shinde had investigated A.D.R No.8 of 2016 which was registered at Umadi police station in respect of death of the deceased. He had conducted the inquest panchnama and the spot panchnama. He had collected blood mixed soil from the spot.

In the cross examination, he stated that the distance between Umadi and Jath is about 50 to 55 kms.

15) P.W.9 - Dhananjay Yadav was the Nodal Officer of the mobile phone service provider. He has deposed about producing C.D.R of the mobile phone number of the deceased. His evidence does not show the phone numbers on which the deceased had made phone calls or phone numbers from which deceased had received the phone calls. Therefore, the evidence of P.W.9 does not help the prosecution case.

16) The C.A. reports are produced on record at Exh.78. It shows that the clothes of the deceased were having blood of 'O' group. The clothes of the Appellant shows presence of human blood and the blood group was inconclusive. Importantly, there was no blood found on the *Koyta* recovered at the instance of the Appellant.

This in short is the evidence led by the prosecution.

17) The learned Counsel for the Appellant made the following submissions :-

He submitted that there was hardly any evidence against the Appellant. There are no incriminating circumstances showing connection of the Appellant to the offence of murder. Nobody had seen the Appellant with the deceased any time after 12/08/2016. On the previous night, the deceased and the Appellant had dinner together

as deposed by P.W.2. but after that nobody had seen them together. P.W.2 has only spoken about the telephonic conversation and her impression that the deceased was going with the Appellant. However, even she had not seen the deceased with the Appellant on 12/08/2016. The Advocate at Vijapur Court is not examined by the prosecution. The Investigating Officer has admitted that there was no evidence found in his investigation that any witness had seen the Appellant and deceased together. The second circumstance about the motive is also quite weak. There was no proof that the deceased has given about Rupees three to four lakhs to the Appellant. There is only unsubstantiated evidence of P.W.2 in that behalf. The Investigating Officer has admitted that they could not find any evidence to that effect.

The next circumstance is about the phone calls made by the Appellant by using the phone of P.W.7. There is no CDR supporting this circumstance. The main circumstance which the learned Judge has heavily relied on is about recovery of the clothes of the Appellant and recovery of the weapon and other articles including the identity card of the deceased at the instance of the Appellant. He submitted that

production of the clothes by the Accused/Appellant in police station is doubtful. In any case the blood group on his clothes was found inconclusive. Therefore, it cannot be connected with the offence of murder of the deceased. He submitted that the recovery of the identity card and other documents pertaining to the deceased at the instance of the present Appellant is not reliable. It does not stand to reason as to why the Appellant would not have destroyed these documents and the identity card. They were of no use to him. He had already taken precaution to remove the sim card from the mobile handset of the deceased and in that case there was no reason as to why he would keep the document concealed at a particular place. It also does not stand to reason as to why he would choose two different places to conceal the articles and the weapon. The weapon was thrown at a different place in a well. He submitted that the evidence shows that the police had specifically asked for the identity proof of the deceased from P.W.2. This would indicate that the documents and voter's identity card belonging to the deceased could have been supplied by P.W.2 to the police.

18) The learned APP on the other hand strongly opposed these

submissions. According to him, the finding of the identity card and other documents belonging to the deceased, recovered at the instance of the Appellant are the most incriminating pieces of evidence. In this case there was no reason and explanation as to why the documents and the identity card would be in possession of the Appellant which he chose to conceal. He submitted that the recovery was effected from the farm house of the Appellant's brother-in-law and from the well in his own agricultural land. Therefore, those were the spots which were easily accessible to the Appellant alone and therefore, there is no infirmity in the recovery of evidence.

19) Mr.Saste, learned Addl.PP further submitted that there is no reason to disbelieve P.W.2 as far as motive is concerned. He further submitted that though the Advocate from Vijapur Court is not examined, P.W.2 had a conversation with that Advocate and she was informed that the deceased and one more person had gone to Vijapur Court and they had left together at 4.00 pm on 12/08/2016 on a motorcycle. This is in support of the prosecution case. There is recovery of a weapon which is also an incriminating piece of circumstance. The evidence of P.W.2 cannot be brushed aside. That evidence is important.

She tried to contact the Appellant and deceased but both of them did not respond. There is no explanation offered by the Appellant in that behalf.

20) We have considered these submissions. Since this is a case based purely on circumstantial evidence, it was incumbent on the prosecution to have proved each of these circumstances separately, beyond reasonable doubt and then form a complete chain of these circumstances, to prove the case against the Appellant. The prosecution was required to exclude all the other hypothesis, except showing the guilt of the Appellant alone. In this case there are following circumstances which need consideration.

Motive :

21) As far as motive is concerned, the only evidence which is led by the prosecution is in the form of deposition of PW.2. Only this witness has spoken about the loan of Rupees Three to Four lakhs which the deceased had given to the Appellant. From her evidence itself can be seen that the deceased was aware that the Appellant was in a poor financial condition and in order to help him this amount was given to the Appellant as per the deposition of PW.2. According to her, the

deceased used to demand that money back and there used to be quarrels between the Appellant and the deceased. Inspite of that, the Appellant and the deceased were on good terms. In fact, they had dinner together at the house of the deceased on 11/08/2016. On the next day also they decided to go to Vijapur Court together. There is no evidence brought by the prosecution that the Appellant had any case in Vijapur Court. It was only at the instance of the deceased that the Appellant had agreed to go to Vijapur Court. It is reflected in the deposition of P.W.2. Apart from that, there is no evidence produced by the prosecution to show that there was any serious quarrel between the Appellant and the deceased or that the Appellant had threatened to commit murder of the deceased. Therefore, we find that motive expressed by the P.W.2 in this particular case is quite weak. She had lodged the FIR based only on the suspicion as per her information that the deceased was to go to Vijapur Court with the Appellant. Her own evidence shows that the deceased had disputes with many other persons which is subsequently brought out in cross examination as well as in examination in chief of this witness. Therefore, there is some substance in the submissions of learned Counsel for the Appellant that

the deceased was on enemical terms with many people.

22) The next circumstance is about production of the clothes allegedly worn by the Appellant at the time of the incident and production of the motorcycle. First of all, it is not very clear as to in what circumstances the Appellant remained present in the police station. It appears from the evidence that he surrendered himself before the police station. There is no evidence to show that he was arrested through some efforts made by the police officers. When the pancha reached the police station, by that time, the clothes of the Appellant were already brought by him. He had also brought the motorcycle. Therefore, it cannot be said that he had removed his clothes from his person and he was asked to wear some different clothes. Apart from that, there is no connection with the motorcycle produced in the Court. It is another loose end. The prosecution has not shown any connection between the recovered motorcycle and the ownership either with the Appellant or with the deceased.

23) The clothes produced by the Appellant, purportedly were the clothes which he was wearing. They were sent for C.A. examination but they only showed presence of human blood. The blood group was

inconclusive. Admittedly, the blood group of the deceased was 'O' group. There is no conclusive evidence that the blood on the clothes produced by the Appellant was that of the deceased. Thus, the production of his clothes and the Chemical Analysis Report of those clothes, does not add to the prosecution case.

24) The next circumstance is about the Appellant being together with the deceased. The prosecution has miserably failed to prove its case that the Appellant and the deceased were together since the morning of 12/08/2016. There is not a single witness who had seen both of them together. According to P.W.2, the deceased was to meet the Appellant at the bus stop and then, they were to travel together on a motorcycle. Nobody from that area was examined. There is no witness who had seen them together at the bus stop. It is only the impression of P.W.2 that the Appellant and the deceased had left together from their village. She was told by the deceased that he was going to Vijapur with the Appellant but beyond that, there is no evidence to show that both of them had actually travelled together to Vijapur and if they had travelled to Vijapur, whether they had come back together from Vijapur because the incident had taken place after

the deceased had left Vijapur Court with one person. Therefore, there is no evidence to show that the Appellant was with the deceased since the morning of 12/08/2016 and more importantly, after 4 o'clock on 12/08/2016 when the deceased had left Vijapur Court as informed by an Advocate to P.W.2.

25) The prosecution has not examined the Advocate from Vijapur Court who had met the Appellant in that Court. It was only a hearsay evidence in the form of PW-2 who was told by that Advocate that the deceased had left Vijapur Court with one person. There is no further description of that particular person who was accompanying the Appellant. The prosecution could have easily examined the said Advocate in the Court. Non-examination of that Advocate is a serious lacuna and in this case, adverse inference will have to be drawn against the prosecution that the said evidence would have been inconvenient to the prosecution.

26) The weapon was allegedly recovered from a well in the agricultural land of the Appellant in Karnataka. However, the C.A. report pertaining to that sickle does not show presence of human blood. Therefore, in any case, this weapon is not directly connected

with the allegation of commission of murder with that weapon.

27) The only piece of evidence which requires serious consideration is about recovery of the Voters Identity Card, the Bus Pass and other documents belonging to the deceased which were recovered at the instance of the Appellant. In this connection, the prosecution has examined P.W.3 - Shivaji Sankhe who was a pancha witness for panchanamas at Exhibit-27. The panchanama records the memorandum statement given by the Appellant. The memorandum statement does not mention that the weapon was concealed at a different place and the mobile phone and the documents were concealed at a different place. There is a general statement that he would show the place where the weapon, the mobile phone and the documents were recovered. He has not even mentioned the place where those Articles were concealed by him. We find some force in the submission of the learned Counsel for the Appellant that when the Articles were recovered, the mobile phone's battery was removed and the sim card was not there. Thus, care was taken to remove the sim card and the battery so that the Articles would not be traced back to the deceased or the Appellant. If the Appellant was so careful, then it

does not stand to reason as to why he would keep the documents and the Identity Card of the deceased with those phones and as to why he would even preserve those documents. They were of no use to him. According to the prosecution case, he had taken care to wipe out the signs of his connection with the offence by removing the sim card and the battery from the mobile phone. Then, by the natural course of conduct, he could have easily destroyed the documents of the deceased. In any case, the statement made by the Appellant which is recorded in the memorandum panchanama showed his omnibus statement that he was willing to show the place where he had concealed all these Articles including the weapon. The weapon was recovered from a totally different place which was at quite some distance from the place from where the other Articles viz. the mobile phone and the documents were recovered. This has to be seen in the light of the fact that P.W.2 had admitted in the cross-examination that the police had sought documents for identification of the dead body. The prosecution has deliberately not led evidence as to which documents were given by P.W.2 to the police to establish his identity. Therefore, in this background, the benefit of doubt must go to the

Appellant. In any case, on the basis of this doubtful piece of evidence in the form of recovery, it is difficult to conclude that the Appellant had committed murder of the deceased. There is absolutely no other evidence against the Appellant.

28) The learned Judge himself has discarded the evidence regarding the Appellant and the deceased having been seen together. He had relied mainly on the circumstance of recovery of deceased's Articles at the instance of the Appellant. We find that the said circumstance is not proved by the prosecution beyond a reasonable doubt. In this view of the matter, the benefit of doubt must be given to the Appellant. Thus, in our opinion, the prosecution has failed to prove its case beyond a reasonable doubt. The prosecution has failed to rule out every other hypothesis except the guilt of the Appellant. Therefore, the Appeal must succeed. Hence, the following Order :-

- (a) The Criminal Appeal is allowed.
- (b) The impugned Judgment and Order dated 22/11/2021 passed by the learned Additional Sessions Judge, Sangli in Sessions Case No.183 of 2016 convicting and sentencing the Appellant, is set-aside. The Appellant is acquitted of all the charges.

- (c) The Appellant is in custody. He shall be released forthwith, if not required in any other case.
- (d) Before being released, the Appellant shall execute a P.R. Bond in the sum of Rs.25,000/- to ensure his appearance, under Section 481 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, in case an Appeal is preferred.

29) With the disposal of the Appeal, the connected Interim Application is also disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)