

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2768 OF 2024

Shri. Ganesh Vinod More
Versus
The State Of Maharashtra

...Applicant

...Respondent

Mr. Satyavrat Joshi a/w Ashish Kachole & Yash Fadtare, for the Applicant.

Mr. A. I. Satpute, APP for the Respondent - State.

CORAM : NITIN W. SAMBRE, J.

DATE : 21st JANUARY, 2025

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1. Post arrest on 24th July, 2023 i.e. the date of incident, the Applicant came to be charge-sheeted for an offence punishable under Section 302 of the IPC and Sections 4 and 25 of the Arms Act *vide* Crime No.137 of 2023.
2. The case of the prosecution is, deceased Kamlakar was having affair with the widowed mother of the Applicant.
3. The allegation is, the Applicant for the said cause has murdered deceased and gave discovery of weapon. The report of chemical analyzer is not available on record.
4. Apart from above, mere presence of the Applicant at the spot

of the incident even if ascertained, the other person present was his mother, who was having admittedly affair with the deceased. There is no direct evidence in the form of eye witnesses, however, the case of the prosecution is based on circumstantial evidence.

5. It is submitted that deceased was a history-sheeter. As such, the angle whether the mother might have committed the offence is not investigated into though she was allegedly present at the spot.

6. That being so, I am inclined to allow the Application. Hence, the following order :-

(i) The Application stands allowed.

(ii) The Applicant is directed to be released on bail in connection with Crime No.137 of 2023 registered with Kupwad MIDC Police Station, Sangli for offence under Sections 302 of IPC and under Sections 4 and 25 of the Arms Act on his furnishing PR bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iii) The Applicant shall neither influence the witnesses nor tamper with the evidence.

7. The Application stands disposed of.

[NITIN W. SAMBRE, J.]