

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2121 OF 2024

Devidas S. Pawar ...Applicant
V/s.
State of Maharashtra ...Respondent.

Mr. Tushar Sonawane for the Applicant.
Mr. T.G. Khan, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 03.01.2025.

P.C. :

1. This is an application for bail.
2. The applicant came to be arrested in Crime No.82 of 2023 registered at Wadner-Bhairav Police Station, Dist.Nashik for the offence punishable under Section 302 read with 34 of the Indian Penal Code.
3. The deceased was the relative of the present applicant and co-accused in the present crime. According to the prosecution, in the intervening night of 4.4.2023 and 5.4.2023, the present applicant along with co-accused assaulted the deceased by stone and committed his murder on account of previous dispute.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.

5. Admittedly, the case is based on circumstantial evidence. The only incriminating material against the present applicant is that the deceased was last seen alive in the company of the present applicant and other co-accused.

6. Considering the fact that the only incriminating material against the present applicant is of last seen and therefore, I am inclined to release him on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 82 of 2023 registered at Wadner-Bhairav Police Station, Dist.Nashik for the offence punishable under Section 302 read with 34 of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station twice in a month, i.e., on first and third Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]