

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4235 OF 2024

Santosh @ Bablu Tanaji Pawar ...Applicant

Versus

The State of Maharashtra ...Respondent

....

Mr. Satyavrat Joshi a/w Mr. Ashish R. Kachole, Ms. Reena Prajapati, Mr. Priyesh More, Advocate for the Applicant.

Mr. Tanveer Khan, A.P.P. for the Respondent – State.

....

CORAM : N. R. BORKAR, J.

DATE : 5th MARCH, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 310 of 2023 registered at Baramati Taluka Police Station, District : Pune for the offences punishable under Sections 302 & 201 of the Indian Penal Code.
3. The deceased was addicted to liquor and ganja and used to harass the villagers. It is alleged that the mother of the deceased who is also the co-accused in the present crime had

thus hired the present applicant and other co-accused to kill him. It is alleged that they on the date of incident which took place on 25.05.2023 committed the murder of the deceased.

4. I have heard the learned counsel for the applicant and the learned A.P.P. for the Respondent-State.

5. This Court by order dated 6th December, 2024 in Criminal Bail Application No.3375 of 2024 has released the co-accused on bail. This Court has observed as follows :

“5. Thereafter on 5th September 2023 statement of a witness who is the vendor who sold nylon rope allegedly used in the offence, was recorded, who stated that he could recall that 5-6 months before, the Applicant came to his shop and purchased the nylon rope.

6. Similar is the statement of a waiter who states that he witnessed the hatching of conspiracy by the accused for elimination of the deceased while sitting in the restaurant. Admittedly both the statements were recorded on 5th September 2023 i.e. after four months therefore, it creates doubt about its veracity.”

6. The learned A.P.P. submits that there is enough incriminating material to connect the present applicant with the alleged crime. It is submitted that considering the nature of crime the applicant may not be released on bail.

7. The case is based on circumstantial evidence. There are no other criminal antecedents against the present applicant. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 310 of 2023 registered at Baramati Taluka Police Station, District : Pune for the offences punishable under Sections 302 & 201 of the Indian Penal Code, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)