

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

**BAIL APPLICATION NO. 4760 OF 2024**

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| Balasaheb Raghunath Kokate | ...Applicant  |
| Versus                     |               |
| The State of Maharashtra   | ...Respondent |

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Mr. Aniket Nikam i/b Mr. Sumit Patil a/w Mr. Dushyant Digamber, Advocate for the Applicant.

Mrs. G. P. Mulekar, A.P.P. for the Respondent – State.

Mr. Pawan Supnar (PSI), Lasalgaon Police Station, Nashik, present.

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| <b>CORAM</b> | <b>:</b> | <b>N. R. BORKAR, J.</b>                |
| <b>DATE</b>  | <b>:</b> | <b>04<sup>th</sup> February, 2025.</b> |

**P.C.:**

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.168 of 2024 registered at Lasalgaon Police Station, Dist.-Nashik, for the offences punishable under Sections 103, 109, 118(1), 189(2), 189(4), 190, 191(2), 191(3), 351(2), 351(3), 351(4), 352, 61(2)(a) of the Bhartiya Nyaya Sanhita.
3. There was matrimonial dispute between the niece of the complainant and the co-accused Sachin Kokate. The

deceased was the brother of the complainant. According to the prosecution, there was also property dispute between the deceased and the present applicant. It is alleged that on account of said disputes, the applicant and other co-accused entered into conspiracy to kill the deceased. It is alleged that pursuant to the said conspiracy, on the date of incident which took place on 01.07.2024, the present applicant and other co-accused assaulted the deceased by Koyta, stick etc. and committed his murder.

4. The learned counsel for the applicant submits that initial motive was attributed to the co-accused Sachin Kokate. It is submitted that the applicant has nothing to do with the alleged crime.

5. On the other hand, the learned A.P.P. for the Respondent-State submits that there is oral dying declaration. It is submitted that according to the said oral dying declaration, the assailants were sent by the co-accused Sachin Kokate and the present applicant.

6. I have perused the statement of the witness Ganesh Nagre to whom the alleged oral dying declaration was made.

According to him, he was present at the place of incident when the brother of the deceased Pravin Dhokrat and Kunal Gite came there. However, in the statements of Pravin Dhokrat and Kunal Gite there is no reference of the said witness. 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.168 of 2024 registered at Lasalgaon Police Station, Dist.-Nashik, for the offences punishable under Sections 103, 109, 118(1), 189(2), 189(4), 190, 191(2), 191(3), 351(2), 351(3), 351(4), 352, 61(2)(a) of the Bhartiya Nyaya Sanhita on executing PR. 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.)**