

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 5325 OF 2024**

Mahesh Gopinath Thorat	...Applicant
<u>VERSUS</u>	
The State of Maharashtra	...Respondent

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Mr. Kuldeep U. Nikam a/w Mr. Om Latpate & Mr. Samadhan G.,
Advocate for the Applicant.

Ms. P. S. Rane, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 25.02.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 366 of 2024 registered at Wavi Police Station, Dist-Nashik for the offences punishable under Sections 103(1), 118(1), 118(2), 189(2), 191(2), 191(3), 190, 352, & 3(5) of Bhartiya Nyaya Sanhita, 2023.
3. The applicant is accused No.7 in the aforesaid crime. The wife of the accused No.1, who is the complainant in the present case and deceased were in relationship. It is alleged that on 31.08.2024 the complainant eloped with the deceased. It is alleged that the accused No.1 thus got annoyed and on 02.09.2024 he alongwith present applicant and other co-accused assaulted the deceased with stick and committed his murder.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

5. The learned counsel for the applicant submits that he has nothing to do with the alleged crime. It is submitted that eye witnesses have not attributed any overt act to the applicant.

6. On the other hand, the learned APP for the respondent/State submits that the applicant was with the accused No.1 and other co-accused at the time of incident. It is submitted that considering the nature of offence the applicant may not be released on bail.

7 I have perused the statement of the complainant who is an eye witness to the incident. She has not attributed any specific overt to the present applicant. The motive for alleged crime is not attributed to the present applicant. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 366 of 2024 registered at Wavi Police Station, Dist-Nashik for the offences punishable under Sections 103(1), 118(1), 118(2), 189(2), 191(2), 191(3), 190, 352, & 3(5) of Bhartiya Nyaya Sanhita, 2023, 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 once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

7. Application stands disposed of accordingly.

(N. R. BORKAR, J.)