

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1210 OF 2022

Rahul Tukaram Jadhav

..APPLICANT

VERSUS

State of Maharashtra

..RESPONDENT

....
Mr. S.S. Jadhav, Advocate h/f Mr. A.D. Ostwal, Advocate for applicant
Mr. V.S. Badakh, A.P.P. for respondent - State
....

**CORAM : R.G. AVACHAT, J.
DATE : 30th AUGUST, 2022**

PER COURT :

1. This is an application for bail under Section 439 of Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 382 of 2019 registered with MIDC Police Station, Dist. Latur for the offences punishable under Sections 302 and 120B of the Indian Penal Code.

2. Heard. Perused the First Information Report ("F.I.R.") and related police papers.

3. Learned A.P.P. has strong reservation for granting the application. According to him, there is material to indicate the applicant to have been a

privy to the conspiracy that was hatched in a lodge at Latur. According to him, the present applicant had booked a room in the lodge at the behest of main conspirator.

4. Considered the submissions advanced. The case is based on circumstantial evidence. The applicant is behind the bars for little over two years. He is said to be a privy to the conspiracy to commit murder. Similarly placed other two conspirators have been granted bail. The applicant has not participated in execution of the object of conspiracy i.e. committing murder of the deceased. Considering the fact that similarly placed co-accused have been granted bail, the Court is inclined to grant the applicant bail.

5. In view of above, the application deserves to be allowed. Hence I pass the following order :-

ORDER

(I) The bail application is allowed.

(II) The applicant be released on bail, in connection with Crime No. 382 of 2019 registered with MIDC Police Station, Dist. Latur for the offences punishable under Sections 302 and 120B of the Indian Penal Code, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

(III) The applicant shall not tamper with the prosecution evidence.

(R.G. AVACHAT, J.)

SSD