

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram,	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 17 OF 2015

DEEPAK AMBADAS POKALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Dheple Shantaram R.
APP for Respondent: Mr. N. B. Patil.

CORAM: T. V. NALAWADE, J.
DATED: 3rd FEBRUARY, 2015.

PER COURT:

1. The application is filed for grant of bail. Both the sides are heard. This Court has perused the papers of investigation.
2. The crime is registered on the basis of report given by brother of deceased. Few days prior to the date of incident, there was a quarrel between brother of the complainant/ deceased and the present applicant Deepak. Applicant wanted to extract money from the deceased and the deceased had resisted to it. Between 13th February, 2014 and 14th February, 2014, after

09.00 p.m., deceased Dinesh left home by saying that he was proceeding towards Sakuri and after that he was not seen alive by the brother of the deceased. There are statements of witnesses to the effect that in their presence the applicant had taken Dinesh towards Sakuri side on motorcycle. The dead body of Dinesh was found there. P.M. report shows that many incised wounds were found on the dead body. The size of the injury on the neck was 14x10x8 cm and there was injury mainly on the head and there were stab injuries. There were many stab injuries. Various injuries were found on the dead body and the death took place due to haemorrhage and shock as a result of cut throat injury. It was a brutal murder and no mercy was shown by the persons who were involved in the incident.

3. Against the present applicant, there is a material like statements of witnesses who had last seen the deceased in the company of the present Applicant. The weapon is recovered under section 27 of the Evidence Act. Bloodstained clothes of the applicant were recovered from his house. According to the prosecution he is the main accused. This Court refused bail to Sandeep Kakade, associate the present applicant, on

merits by the order dated 29th September, 2014. It appears that the present applicant was absconding since long and he came to be arrested recently on 1st July, 2014, when the incident is dated 13th February, 2014.

4. The learned A.P.P. submitted that the applicant is history sheeter and against him many offences registered under sections 394, 395, 307 I.P.C. and also 224 of I.P.C. There is no guarantee that he will not abscond after getting released on bail. Considering the statements of witnesses the applicant appears to be a Goonda by nature as he had picked up quarrel and had virtually beaten others also. In view of the above, this Court holds that this is not a fit case to grant bail to the present applicant. Application is rejected.

5. The observations are for the purpose of present proceeding only.

[T. V. NALAWADE, J.]

Dt.03/02/2015
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