

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

Criminal Application No. 567 of 2015

The State of Maharashtra,
Through Police Station, Mukhed,
District : Nanded.

.. Applicant
(Original complainant)

versus

1. Babu Mainoddin Patel,
Age : 35 years,
Occupation : Agriculture.
2. Rashol s/o. Chandsab Patel,
Age : 50 years,
Occupation : Agriculture.
3. Shaffi Mainoddin Patel,
Age : 22 years,
Occupation : Moulana.
4. Khyaum s/o. Maionoddin Patel,
Age : 22 years,
Occupation : Driver.

All R/o. Dongargaon,
Taluka : Mukhed,
District : Nanded.

.. Respondents
(Original accused)

.....

*Mr. S.D. Kaldate, Additional Public Prosecutor, for
the applicant - State.*

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**CORAM : S.S. SHINDE &
A.M. BADAR, JJ.**

DATE : 9TH FEBRUARY 2015

PER COURT :

1. Heard the learned Additional Public Prosecutor appearing for the applicant - State.
2. It appears that the trial court has not properly appreciated the evidence of eye witnesses and also medical evidence. The case is established for allowing this Application seeking leave to file appeal.
3. In the circumstances, the Application is allowed in terms of prayer clauses “A”, “B”, “C” and “F”. The Application stands disposed of.
4. Appeal **Admit.**
5. Issue notices to the respondents upon admission of the appeal.
6. Action under Section 390 of the Code of Criminal Procedure, 1973, to follow against the respondents, before Sessions Court, Kandhar, Link Court, Mukhed [District : Nanded].

(A.M. BADAR)
JUDGE

(S.S. SHINDE)
JUDGE

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