

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1275 OF 2015**[Yash @ S.P. s/o Congress Chavan Vs The State of Maharashtra]**

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

Shri R.V.Gore, advocate for applicant
Shri A.S.Shinde, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.
DATED : 24th March, 2015

PER COURT :-

- 1] This is an application for anticipatory bail in connection with Crime No.77 of 2010, registered at Shirur (K) police station, Taluka Shirur, District Beed, for the offence punishable under Section 302, 34 of the Indian Penal Code.
- 2] The first information report is recorded against the present applicant and others on 10.8.2010. The deceased is one Makhmalabai. The cause for finishing that lady is that the deceased has made report against the present applicant and others in the police station and on that account she was done to death by pouring kerosene on her person.
- 3] Learned counsel Shri Gore submitted that one of the accused by name Bhagya was already tried by the learned Sessions Judge in Sessions Case No. 167 of 2011 and the learned Judge has already acquitted the said person, and therefore, submitted that the present applicant should be released on anticipatory bail.
- 4] Present applicant is absconding since registration of the offence against him. No explanation is given in the entire application about his whereabouts for last five years.

Further, the role attributed to Bhagya is altogether different. So far as present applicant is concerned, he has poured kerosene on the said helpless lady and other co-accused have ignited the fire.

5] Looking to the serious allegations made in the first information report and looking to the fact that the present applicant was found to be absconding since last five years, in the present case detailed investigation in so far as present applicant is concerned is necessary.

6] In that view of the matter, present bail application is rejected.

(V.M.DESHPANDE, J.)

dbm/crap1275.15