

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.5253 OF 2014

IN

CRIMINAL APPEAL NO.600 OF 2014

Subhash Tukaram Hanwate,
Age-38 years, Occu:Masonry,
R/o-Shet Majurwadi, Tamsa,
Tq-Hatgaon, Dist-Nanded.

...APPLICANT

VERSUS

The State of Maharashtra,
Through Tamsa Police Station,
Tq-Hatgaon, Dist-Nanded.

...RESPONDENT

...

Mr.Anil H. Kasliwal Advocate for Applicant.
Mr.M.M. Nerlikar, A.P.P. for Respondent.

...

**CORAM: S.S. SHINDE AND
A.I.S. CHEEMA, JJ.**

DATE : 25TH JUNE, 2015

ORAL ORDER :

1. Heard learned counsel appearing for the
Applicant and learned A.P.P. appearing for State.

2. The learned counsel appearing for the Applicant invited our attention to the evidence of the daughter of the Applicant and deceased, and submitted that she was star witness of the prosecution, however she has not supported the prosecution case. It is further submitted that the deceased committed suicide and it was not the case of homicidal death. It is submitted that due to mental agony suffered by the Applicant he could not offer any explanation under what circumstances deceased died. Therefore, relying on the grounds raised in the Application, he submits that Applicant deserves to be released on bail.

3. We have heard the counsel appearing for the Applicant. Perused the notes of evidence and also findings recorded by the trial Court. Upon perusal of the evidence brought on record, it is not in dispute that spot of incident is house of the Applicant. The evidence of medical officer

unequivocally indicates that death was homicidal. Certain injuries were noticed on the person of the deceased. The Applicant was not able to offer any explanation under what circumstances deceased died. Therefore, prima facie we find that the findings recorded by the trial Court are sustainable. No case is made out to release the Applicant on bail.

4. In that view of the matter, the Application for bail stands rejected.

[A.I.S.CHEEMA, J.]

asb/JUN15

[S.S.SHINDE, J.]