

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

CRIMINAL APPLICATION NO. 4870 OF 2015

Subhash s/o Hiranman Bedwad,
Age: 30 years, Occ: Labour,
R/o. Hiwarkheda (Nandgirwadi),
Tq. Kannad, Dist. Aurangabad.

...Applicant

versus

The State of Maharashtra
through Investigating Officer,
Kannad Police Station,
Dist. Aurangabad.

...Respondent

...
Mr. R.V. Gore, Advocate for the applicant
Mr. N.T. Bhagat, Addl. Public Prosecutor for respondent
...

CORAM : N.W. SAMBRE, J.

DATE : 19th OCTOBER, 2015

ORAL ORDER :

Heard learned Counsel for the applicant. The applicant is seeking regular bail in Crime No. I-09/2015 registered on 09/01/2015 with Kannad Police Station, District Aurangabad for the offence punishable under Sections 302, 323, 504 read with Section 34 of the Indian Penal Code. The eye witness to the incident Gani Begu Pathan has filed F.I.R. against the applicant claiming that the applicant herein has used knife in the commission of crime in question, resulted into death of Sultan.

2. Even though charge sheet in the matter is already filed, there is sufficient material available on record, *prima facie*, demonstrating the involvement of the applicant in the crime in question. The other accused namely Hiranman and Satish are released on regular bail by this Court, the case of present applicant cannot be treated *at par* with that persons namely Hiranman and Satish.

3. It is required to be noted that there is specific role attributed to the applicant in the matter of commission of crime i.e. murder of Sultan, whereas other two accused namely Hiranman and Satish are concerned, there is no direct attribution to them in the commission of crime in question.

4. In view thereof, no case for grant of bail is made out. The application stands rejected.

[N.W. SAMBRE, J.]