

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

Criminal Application No.7068 of 2014

Sambhaji s/o Bhanudas Mundhe. .. **Applicant.**

Versus

The State of Maharashtra. .. **Respondent.**

Shri. M.R. Andhale, Advocate, for applicant.
Shri. R.P. Phatke, Additional Public Prosecutor, for
respondent.

CORAM: T.V. NALAWADE, J.

DATE : 21st JANUARY 2015

ORDER:

1) The application is filed for relief of bail. Both the sides are heard. This Court has perused the papers of investigation.

2) Crime is registered on the basis of report given by Ankush Gite. Archana wife of present applicant is cousin sister of Ankush. Allegations are made that in one incident of 25-8-2014 accused became angry with Ankush as he did not supply decorative articles of bulls to him. The applicant first assaulted him. When father of Ankush intervened the applicant said that he would finish father

of the complainant first and then with an intention to finish Ramrao, he gave blows of wooden log on the head of Ramrao. Ramrao became unconscious due to these blows. He succumbed to the injuries on 26-8-2014. The post mortem report shows as many as 8 injuries were found on the person of the deceased. There was spider web fracture to the right parietal bone. There was damage to the brain. The death took place due to head injury.

3) Most of the witnesses are close relatives who include the wife of the present applicant. In view of these circumstances this Court holds that there is possibility of tampering with prosecution witnesses from the applicant. The aforesaid material is sufficient to make a strong prima facie case for offence of murder. The contention that there was no motive cannot be accepted at least at this stage, in view of the material collected against the applicant and the nature of injury. In the result, the application is rejected. The observations made are for the present proceeding only.

Sd/-
(T.V. NALAWADE, J.)

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