

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1237 Of 2015

Ravindra Gajanan Sonawane

.. Applicant

v/s.

The State of Maharashtra

..Respondent/s

Mr. Aditya Desai for the Applicant

Mrs. R.V.Newton, APP for the Respondent

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : NOVEMBER 18, 2015

P.C. :

1. This is an application for bail filed by the aforesaid applicant who is arrayed as accused in Sessions Case No. 6 of 2015 pending before the Sessions Judge, Kolhapur.
2. Heard Mr. Desai, the learned counsel for the applicant-accused. He has submitted that there is no material to show the involvement of the applicant in commission of the crime. He has submitted that the applicant has not been identified by the complainant and the other witnesses. He has further submitted that the applicant is not in a medically fit condition to commit any such offence. It is also stated that the mother of the applicant

is hospitalized and needs medical treatment and that the applicant is required to take care of his mother.

3. The learned APP has submitted that one Irfan was brutally assaulted, which has resulted in death of said Irfan. She has further submitted that the statement of the witnesses prima facie proves the involvement of the applicant in commission of the said offence. She therefore claims that the applicant is not entitled for bail.

4. I have perused the records and considered the submissions advanced by the Counsels for the respective parties. At the outset it may be mentioned that the counsel for the applicant has conceded that the earlier bail application filed by the applicant was dismissed on merits. He has not been able to show any change in the circumstances. Be that as it may. The record prima facie reveals that the applicant was a member of unlawful assembly. He had inflicted injury by sword on Irfan who had met homicidal death. The evidence has not yet commenced. The independent witnesses are yet to be examined. Releasing the applicant on bail at this stage can hamper the trial.

5. Considering the above facts and the gravity of the offence, the applicant is not entitled for bail and hence the application for bail is rejected.

[ANUJA PRABHUDESSAI, J.]