

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO.1016 OF 2015****IN****CRIMINAL APPEAL NO. 893 OF 2015**

Chotelal Rambrij Paswan

...Applicant.

versus

The State of Maharashtra

..Respondent.

.....

Ms. Nasreen S.K. Ayubi, advocate appointed for the Applicant.

Mr. A.S. Shitole, Addl.P.P. for the State.

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**CORAM : SMT V.K. TAHILRAMANI, Acting C.J.&
A.S. GADKARI, J.****9th September, 2015.****P.C. :**

The Applicant - original accused No.4 has been inter alia convicted under Section 302 read with Section 34 for causing the death of Hiralal. The Applicant is now seeking bail.

2. There are three eye witnesses in the present case i.e. P.W.2-Hiralal, P.W.3-Mantha and P.W.4-Dharmendra. P.W.2-Hiralal has stated that Sonu Sahani, Pintu, Manoj and Chhotelal started assaulting the deceased Hiralal with wooden log and iron rod. They assaulted the deceased on the head, arms and chest as well as other parts of the body. The deceased became unconscious. The evidence of P.W.4-Dharmendra is on similar

lines as that of P.W.2-Hiralal. The evidence of P.W.1-Dr.Dongare shows that deceased Hiralal had sustained 9 injuries on his body. The injuries are consistent with assault by wooden log and iron rod. Looking to all these facts, we are not inclined to grant bail to the Applicant. Hence, the Application for bail is rejected. However, hearing of the Appeal is expedited.

(A.S. GADKARI, J.)

(ACTING CHIEF JUSTICE)

CERTIFICATE

Certified to be true and correct copy of the original signed
Order.