

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 706 of 2015
[Arun Vinayakrao Hirode Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Mr. T.G. Bansod, Adv., for the Applicant.
Mr. A.K. Bangadkar, APP for respondent.

- - - -

CORAM : V.M. DESHPANDE, J.

DATE : 08th October, 2015.

Heard learned Counsel Mr. T.G. Bansod for the applicant.

The applicant is seeking enlargement on bail in Crime No. 102/14 registered with Police Station, Kurha, Distt. Amravati, for the offence punishable under Section 302 of Indian Penal Code.

Heard learned Counsel Mr. T.G. Bansod for the applicant and learned APP Mr. Bangadkar for the respondent - State.

The charge-sheet shows that the first informant Shriram, who is the father of deceased Jyoti, is the eye-witness. His first information statement discloses that

though the marriage between deceased Jyoti and present applicant took place eighteen years ago, he continuously used to raise suspicion over her fidelity. Therefore, on 13th August, 2014, to give a word of advice to the present applicant, the first informant had been to the matrimonial place of Jyoti and he was staying with the present applicant. On 15th August, 2014, in the night, one phone call was received by deceased Jyoti. Upon that, the present applicant picked up a quarrel and asked her as to who was the said caller. Thereafter, everybody took their dinner. In the night, attention of the first informant was attracted due to some noise. That time, he noticed that the present applicant had given an axe blow on the head of the deceased.

When there is a direct evidence in the nature of a version of the first informant, this is not a fit case where discretion should be exercised.

Hence the Criminal Application [BA] No. 706 of 2015 is dismissed.

Judge

|hedau|