

FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**CRIMINAL APPLICATION NO.375 OF 2016**
IN
CRIMINAL APPEAL NO.869 OF 2015**(Rama Maroti Ghongde Vs The State of Maharashtra)**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders CORAM : A.V.NIRGUDE & INDIRA K. JAIN, JJ. DATED : 11.03.2016
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Mr.Razvi Syed Mubashir Ali,
(Appointed), Advocate for the applicant
Mr.S.G. Karlekar, APP for the
respondent/ State

1. The applicant now makes his application for bail. During the trial the applicant was not on bail. The learned Judge of the Trial Court in this case based on circumstantial evidence recorded a findings that the applicant was the person last seen with the deceased. He did not explain as to what happened between him and deceased,

despite opportunities given to him.

2. The learned Judge of the Trial Court therefore held him liable for conviction. The applicant during the trial had ample opportunity to explain his position viz-a-vis the deceased instead he tried to take a defence of alibi.

3. The learned Judge of the Trial Court disbelieve this witness. On the other hand there were at least two witnesses who stated that the applicant left his house with the deceased and went towards his field. It was the applicant who made a phone call to his neighbor telling him that the victim had consumed poison and he should be helped. Thereafter the victim was taken

to hospital but, in-vain, he died.
These circumstances are sufficient to
deny bail to the applicant.

4. The application stands
dismissed.

[INDIRA K. JAIN, J.] [A.V. NIRGUDE, J.]