

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

CRIMINAL APPLICATION NO.544 OF 2016

Shesherao Lalba Lokare,
Age 43 years, Occu. Labour
R/o Ghonsi, Taluka Jalkot,
District Latur,
presently r/o Sanmitra Colony,
Degloor road, Udgir, Taluka Udgir,
District Latur

..Applicant

Versus

The State of Maharashtra,
through Rural Police Station,
Udgir, Taluka Udgir, Dist.Latur

..Respondent

Mr S.B. Bhapkar, Advocate h/f Mr S.S. Bhise, Advocate for applicant
Mr S.M. Ganachari, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 15th February 2016

PER COURT

Heard.

2. The applicant is seeking regular bail in Crime No.43 of 2015 registered at Udgir Rural Police Station, for the offences punishable under Sections 302, 498-A, 323, 506 of Indian Penal Code, for an incident dated 23rd Mary 2015.

3. The prosecution story is that the applicant, Shesherao has killed his wife by strangulation to which the complainant Ashwini, a major by age appears to be the eye witness to the incident.

4. While trying to make out the case for grant of regular bail, learned Counsel for the applicant would urge that the applicant be

released on regular bail in view of the fact that the investigation in the matter is complete and charge-sheet is already filed. As such, there is no necessity of further detention.

5. Second limb of argument is that the investigation, if is analysed, the cause of death, as narrated does not match with the story narrated in the F.I.R.

6. Learned A.P.P. opposed the application on the ground that there are eye witnesses to the incident and prima facie, there is every probability of conviction of applicant. Complainant Ashwini (daughter of applicant-accused and deceased), who is eye witness to the incident in question has narrated about the conduct of the applicant in the matter of commission of crime.

7. Apart from above, it is required to be noted that the other witnesses, who are neighbours have also supported the prosecution story. In my opinion, looking to the nature of investigation and the narration as is reflected in the papers and as there is eye witness to the incident, there is strong prima facie case against the applicant. The application fails, stands rejected.

(N.W. SAMBRE, J.)

vvr