

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3385 OF 2015

The State of Maharashtra,
Through Police Station,
Shivajinagar, Nanded.

...APPLICANT

VERSUS

- 1) Sudam s/o Bapurao Mirgaji,
Age-32 years, Occu:Labour,
R/o-Gokulnagar, Nanded,
- 2) Rajkumar @ Raju Pundlikrao Katimani,
Age-33 years, Occu:Private Service,
R/o-Shikshak Colony, Humnabad,
Tq-Humnabad, Dist-Bidar (Karnataka).

...RESPONDENTS

...
Mr. D.R. Kale, A.P.P. for Applicant.
...

**CORAM: S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.**

DATE : 19TH OCTOBER, 2016

ORDER :

. Heard learned A.P.P. for the State.

Perused notes of evidence and in particular evidence of PW-4 and PW-5. Prima facie it appears that findings recorded by the trial Court are not in consonance with the evidence brought on record by the prosecution. Hence the case is established for admission of the Appeal, allowing the Application seeking leave to Appeal.

2. The Criminal Application is allowed in terms of prayer clause (A), (B), (C), (D) and (F). The Application stands disposed of, accordingly.

3. Appeal **Admit.**

4. Action under Section 390 of Cr.P.C. to follow, against both the Respondents, before the Sessions Court, Nanded.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]