

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3843 OF 2015

State of Maharashtra

...APPLICANT

VERSUS

1) Bibhishan Sambhaji Bondar,

2) Sakhubai @ Swati Bibhishan Bondar

...RESPONDENTS

...
Mr.S.W. Munde, A.P.P. for Applicant.
...

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

DATE : 19TH OCTOBER, 2016

ORDER :

. Heard learned A.P.P. appearing for the State. Perused the notes of evidence and findings recorded by the trial Court. Prima facie it appears that findings recorded by the trial Court are not in consonance with the evidence brought on

record by the prosecution. Prima facie it appears that the trial Court has not properly appreciated the evidence of Pushpa Giri (PW-7) and also the two dying declarations. In that view of the matter, 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). 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, Osmanabad.

[SANGITRAO S. PATIL, J.]

[S.S. SHINDE, J.]