

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3882 OF 2015

State of Maharashtra,
Through Police Station,
Nanded Gramin

...APPLICANT

VERSUS

Bhujang s/o Kisan More,
Age-32 years, Occu:Auto Driver,
R/o-Shahunagar, Waghala,
Tq. & Dist-Nanded.

...RESPONDENT

...
Mr. P.S. Patil, Additional Public Prosecutor
for Applicant.
None present for Respondent.

...

**CORAM: S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATE : 17TH NOVEMBER, 2016

ORDER :

1. Heard learned A.P.P. appearing for the
Applicant - State. Though appearance is caused,
none appears for the Respondent.

2. We have carefully perused the findings recorded by the trial Court in the light of evidence of the eye witnesses. It appears that though PW-2, injured witness supported the prosecution case, his evidence is not properly appreciated by the trial Court. Hence the case is established for admission of the Appeal, allowing this Application seeking leave to Appeal.

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

4. Appeal **Admit.**

5. Action under Section 390 of Cr.P.C. to follow, against the Respondent before the Sessions Court, Nanded.

[K.K. SONAWANE, J.]

[S.S. SHINDE, J.]