

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.5493 OF 2015

The State of Maharashtra

...APPLICANT

VERSUS

Shyam Vitthal Lohabande
and others.

...RESPONDENTS

...
Mr. P.G. Borade Advocate for Applicant.
...

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

DATE : 24TH NOVEMBER, 2016

ORDER :

1. Heard the learned A.P.P. appearing for the State. Perused the notes of evidence and also the findings recorded by the trial Court. There is no manner of doubt that incident has taken place. The police officers are injured. It appears that the trial Court has not properly appreciated the

evidence brought on record by the prosecution, in particular the evidence of injured witnesses. In that view of the matter, we are of the opinion that case needs to be examined. The evidence deserves to be re-appreciated.

2. For the reasons afore stated, the Application seeking leave to file Appeal is allowed and the same stands disposed of accordingly.

3. Appeal is **Admitted**.

4. Action under Section 390 of Cr.P.C. to follow against the Respondents, before the Additional Sessions Court, Kandhar, Link Court, Mukhed, Dist-Nanded.

[K.K. SONAWANE, J.]

asb/NOV16

[S.S. SHINDE, J.]