

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.5907 OF 2015

The State of Maharashtra,
Through Police Station Begampura,
Aurangabad (City),
Sandip Devidas Thakre,
Police Constable Buckle, No.516

...APPLICANT

VERSUS

Rajukhan Burhankhan,
Age-34 years, Occu:Driver,
R/o-Harsul Savangi,
Tq. & Dist-Aurangabad.

...RESPONDENT

...
Mr. S.R. Yadav, A.P.P. for Applicant.
...

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

DATE : 6TH DECEMBER, 2016

ORDER :

. Heard learned A.P.P. appearing for the
State. Perused the evidence of the prosecution
witnesses and also the medical evidence. We have

carefully perused the findings recorded by the trial Court and prima facie it appears that those are not in consonance with the evidence brought on record by the prosecution. The trial Court has not properly appreciated the evidence of eye witnesses and also the other evidence brought on record.

2. In the light of above, the case is established for admission of the Appeal, allowing the Application seeking leave to Appeal.

3. The Application seeking leave to appeal is allowed and the same stands disposed of.

4. Appeal **Admit.**

5. Action under Section 390 of the Code of Criminal Procedure to follow, against Respondent, before the Sessions Court, Aurangabad.

[K.K. SONAWANE, J.]

[S.S. SHINDE, J.]