

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.6889 OF 2015

Girjabai w/o Prashant Sirfule,
Age 20 years, Occu.Household,
R/o Kamari, Taluka Himayatnagar,
District Nanded

..Applicant

Versus

The State of Maharashtra,
through Police Inspector,
Himayatnagar Police Station,
District Nanded

..Respondent

Mr S.C. Bhosle, Advocate for applicant
Mr S.M. Ganachari, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 1st February 2016

PER COURT

Heard.

2. The applicant is seeking regular bail in Crime No.34 of 2015, registered at Himayatnagar Police Station, District Nanded, for the offences punishable under Sections 120-B, 143, 147, 148, 149, 302, 307 and 427 of Indian Penal Code.

3. Learned Counsel for the applicant would urge that the investigation in the matter is complete and the charge-sheet is already filed, as such further custodial detention of the applicant is not necessary. He would then urge that role attributed to the applicant is use of rod, whereas cause of death is because of injuries by sharp edged weapon. According to him, as the applicant is alleged to have used rod in commission of crime, false implication cannot be ruled out.

4. Learned A.P.P. submits that there are eye witnesses to the incident and in the crime in question, other three ladies have suffered serious injuries. He would then urge that in view of statement of eye witness and recovery of blood stained clothes from the applicant, false implication of the applicant is ruled out. There is strong prima facie case against the applicant.

5. Perused the charge-sheet. In the light of submissions made. It is required to be noted that there are eye witnesses to the incident, who have specifically named the applicant as accused who has participated in commission of crime along with other co-accused persons. Apart from the death of one person, namely Yogesh, there are other three victims of the crime in question, namely Parvatibai, Laxmibai, Seema and male member namely Ramdas.

6. All the above said victims have suffered grievous injuries by the various weapons.

7. In this background, in my opinion, there is strong evidence depicting prima facie involvement of applicant in commission of crime in question. As such, application fails, stands rejected.

(N.W. SAMBRE, J.)

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