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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.2150 OF 2015

Vikram Ramchandra Pisal

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.S.V.Kotwal i/b Mr.M.S.Mohite, for the Applicant

Mr. Y. M. Nakhwa, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 10th MARCH, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 64 of 2015, registered with the Koregaon Police Station, Satara, for the alleged offences punishable under Sections 302, 404 r/w 34 of the Indian Penal Code.
3. The incident in question has taken place on the intervening night of 6th and 7th May, 2015. The first informant is the mother of the deceased who had lodged an FIR on 7th May, 2015, as against four

unknown persons. The present applicant came to be arrested on 14th May, 2015. On the very same day, after the arrest of the applicant, the supplementary statement of the first informant was recorded, in which she has set out the motive for the applicant to cause the death of her son – Vishal Yadav.

4. Learned Counsel for the Applicant submits that there are no eye witnesses in the present case and that the prosecution case rests entirely on circumstantial evidence. He submitted that initially according to the first informant, there was a quarrel between the deceased and some ramoshi boys and that the first informant had seen the deceased go along with four unknown persons. He submitted that only after the arrest of the applicant, that the supplementary statement of the first informant was recorded, in which she had attributed motive of the applicant.

5. Learned APP opposed the bail application. He submitted that there is ample circumstantial evidence to connect the applicant with the alleged offence.

6. Perused the charge-sheet. Apart from motive, which is attributed to the applicant by the first informant, there is recovery of blood stained clothes at the instance of the applicant ; an injury certificate which shows that the applicant had sustained an injury on his palm ; recovery of Sim Cards. There are also CDR records which show that there were calls exchanged on that day between the deceased and the applicant and most importantly, the finger print report shows, that the finger prints found on the bottle, which was seized from the spot, are that of the applicant.

7. Considering the material on record as against the applicant, this is not a fit case to enlarge the applicant on bail.

8. Accordingly, the Application for bail is rejected and disposed of as such.

9. Needless to observe, that the trial court shall decide the case on its own merits, uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.