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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 168 OF 2016

Jitendra Shrikrishna Kubal

..Applicant.

Vs.

The State of Maharashtra & Anr.

..Respondents

Ms. Mansha Khemka a/w Bhagyashree Upadhyay i/b Khemka And
Associates for applicant.

Ms. S.S. Kaushik, APP for State.

CORAM: A.S. GADKARI, J.

DATE : 30th August 2016.

P.C.

1 This is an application for bail under Section 439 of Cr. P.C.
The applicant is seeking bail in CR No.157 of 2015 registered with
Meghwadi Police Station, Jogeshwari, Mumbai dated 6.6.2015 under
Section 302 of the Indian Penal Code.

2 It is the prosecution case that the applicant was having
acquaintance with deceased Miss. Dhanashree Mondkar. That the applicant
used to send her messages and was insisting to have relationship with him.
That the deceased Miss. Dhanashree did not accede to advances made by

the applicant. It is the further prosecution case that on 6.6.2015 at about 8.15 p.m., the applicant assaulted the deceased Miss. Dhanashree with a sharp-edged knife on various parts of her body. That the applicant also inflicted some injuries on his person. That the people of the vicinity apprehended the applicant on the spot and handed him over to the police. The deceased Miss. Dhanashree succumbed to injuries while undergoing treatment at the hospital. After completion of investigation police have submitted a final report.

3 It is to be noted here that it is the specific the prosecution case that, when the deceased Miss. Dhanashree refused to accede to any improper advances of the applicant, the applicant committed her murder at a public place by inflicting several blows with a sharp edged knife on her. The applicant has been identified by the witnesses in test identification parade as the assailant of Miss. Dhanashree. The blood-stained knife has been seized by the police which was lying at the spot of incident. The police have now received a report from the Chemical Analyzer. From the said report, it is revealed that the blood on the knife is tallied with the blood-group of deceased.

The learned APP also expressed apprehension that if the applicant is released on bail, he may not only tamper with the evidence, but

will also try to take revenge against the family members of the deceased. I find substance in the said submission.

4 After taking into consideration the evidence on record available against the applicant and the gravity of the offence, I am of the view that this is not a case to release the applicant on bail.

5 The application for bail is accordingly rejected.

(A.S. GADKARI,J.)