

already begun and no bail should be granted.

4. Perusal of the F.I.R. goes to show that the daughter of deceased Balasaheb Wabale married present applicant against wishes of her parents. According to prosecution case, applicant belongs to chambhar caste and as such parents of his wife were against the marriage. This has resulted in assaulting present applicant on previous occasion by Balasaheb Wable (since deceased). This incident has resulted in registration of separate crime against the parents of wife of present applicant and that criminal case appears to be subjudiced.

5. The informant is brother of deceased Balasaheb Wagable. The postmortem report shows that the death of Balasaheb is homicidal. The informant had apprehended that Balasaheb must have murdered by the applicant because of previous enmity

6. At the time of incident, according to prosecution case, Balasaheb was riding motorcycle. Somnath Jaysing Chavan, was pillion rider. After arrest of the present applicant on 23.5.2014, supplementary statement of this witness was recorded wherein he has stated that present applicant alongwith co-accused had assaulted Balasaheb by means of Koyata. Somnath has stated the reason of not disclosing the truth of incident to police on earlier occasion. This Somnath is reported to be dead. At the instance of present applicant, two koyta as well as

clothes worn by him were recovered.

7. The learned counsel for the applicant states that the Chemical Analyzer's report is not yet filed with the chargesheet. It appears that same is awaited. As such it cannot be said that there is no evidence against the present applicant. As the trial has already begun, considering the evidence of recovery against applicant, applicant cannot be released on bail. The application is, therefore, rejected.

[A. M. BADAR, J.]