

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (BA) NO.116 OF 2016

(Mr. Akshay s/o Vijayrao Khadse and another ..vs.. State of Maharashtra, through PSO, PS Wardha City, District Wardha)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 21-03-2016

Heard Shri R.R. Vyas, Advocate for the applicants and Shri S.S. Doifode, Additional Public Prosecutor for the non-applicant.

2. The applicants are arrested in crime registered against seven persons (including the applicants) for offences punishable under Sections 147, 148, 149, 341, 302 and 120-B of the Indian Penal Code.

3. The accusations are that on 02-08-2015 at 8.30 p.m. deceased Ajaysingh Thakur and Sandesh Kamble who were going on moped were stopped by the accused persons and were assaulted by deadly weapons because of which they sustained injuries and Ajaysingh succumbed to the injuries. According to the prosecution, there was an affair between deceased Ajaysingh and sister of Sandesh Kamble one of the co-accused.

4. According to the prosecution, Sandesh Kamble

accompanied deceased Ajaysingh on the moped and brought Ajaysingh to the spot where the other accused persons were waiting for him. The prosecution relies on the statements of two eyewitnesses, discovery of weapons from the applicants and seizure of blood stained clothes of the applicants. The learned Additional Public prosecutor has pointed out that deceased had nineteen injuries on his person, some of them to the vital organs.

5. The Advocate for the applicant has stated that the statements of alleged eyewitnesses are recorded on 19-08-2015 i.e. after about seventeen days of the incident.

6. However, considering the nature of incident and the material on the record, I am not convinced that the applicants are entitled to be released on bail. The application is dismissed.

JUDGE