

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO. 549 OF 2016

(Satish Gulab Khandare Vs. The State of Maharashtra)

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

Court's or Judge's orders

Shri S. S. Dhengale, Advocate for the applicant.
Shri S. J. Kadu, A.P.P. for the State.

CORAM : S. B. SHUKRE, J.
DATED : 25 JULY, 2016

Heard learned Counsel for the applicant and
learned A.P.P. for the State.

The first ground taken by this applicant is that
at the time of incident he was suffering from some kind of
mental illness.

Learned A.P.P. for the State has pointed out
that no such material has been placed on record.

Indeed, learned A.P.P. for the State is right .
No such material available is on record. Therefore, the
contention cannot be accepted at this stage.

The second ground is that this applicant is
entitled to be released on bail on the ground of parity as
the co-accused Gajanan, Vivek, Shubham have been
granted bail.

On perusal of the first information report and

the supplementary statement of the complainant, I find that the contention cannot be accepted. The associates of the applicant appear to have been released on bail as they all were standing on a different ground. No allegations have been made against them as the persons who had also assaulted the deceased.

There are statements of eye witnesses, who are, at this stage, prima facie, saying that this applicant and his co-accused took active part in assaulting the deceased as a result of which the deceased died. The offence of murder punishable under Section 302 I.P.C. is serious crime. The applicant, therefore, cannot be granted bail.

The application is rejected.

JUDGE

CERTIFICATE

“I certify that this order uploaded is a true and correct copy of original signed order.”

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