

**IN THE HIGH COURT AT BOMBAY  
APPELLATE SIDE, BENCH AT AURANGABAD**

921 CRIMINAL APPLICATION NO. 1554 OF 2017

SADASHIV KISAN SHENGE  
VERSUS  
THE STATE OF MAHARASHTRA

...  
Advocate for Applicant : Mr. S.B. Kadu  
APP for Respondent/State : Mr. A.R. Borulkar  
...

**CORAM : T.V. NALAWADE, J.**  
**DATED : April 7, 2017.**

**ORDER :**

1. The application is filed for bail. Both the sides are heard. A statement was made by the learned counsel for the applicant that this is the first application filed for bail by the applicant in this Court.

2. Deceased - Surekhabai was mother of the first informant. The present applicant is the husband of Surekhabai. The first informant is aged about 17 years. The incident in question took place on the night between 9.7.2016 and 10.7.2016. On that day, there was quarrel between the present applicant and the deceased. In the night time, at about 4.00 a.m. when in the same room, applicant, deceased and other accused and the first informant were sleeping, the present applicant started assaulting the deceased with stick. The first

informant tried to intervene to save the deceased, but she was also beaten by stick by the applicant. Many blows of stick were given and the deceased sustained bleeding injuries and she collapsed. The P.M. Report shows that as many as 20 visible injuries were found on the dead body and the death took place due to those injuries. There were many fracture injuries including the fracture to skull and there was brain hemorrhage in the skull cavity. The F.I.R. was given immediately after the incident. There is direct and circumstantial evidence for the offence punishable under section 302 r/w. 34 of I.P.C.

3. Assault was made on the first informant also by the present applicant and the allegations made against the applicant show that there is every possibility that he may tamper with the prosecution witnesses and there will be also danger to the life of the sole eye witness. In view of these circumstances, this Court holds that it is not possible to use discretionary power in favour of the applicant. The application stands rejected.

**[ T.V. NALAWADE, J. ]**

ssc/