

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CRIMINAL APPLICATION NO.3203 OF 2015

The State of Maharashtra

...APPLICANT

VERSUS

- 1) Ram Ravan Bangar,
- 2) Akash Uttamrao Phad,
- 3) Satish alias Balu s/o Babarao
alias Bhaskar Kedar,
- 4) Balaji Shivaji Phad

...RESPONDENTS

...

Mr.D.R. Kale, A.P.P. for Applicant.

Mr.S.G. Kawade Advocate for Resp. Nos. 1 & 2.

Mr.D.B. Thoke Advocate for Resp. Nos. 3 & 4.

...

**CORAM: S.S. SHINDE AND
K.K. SONAWANE, JJ.**

DATE : 14TH FEBRUARY, 2017

ORDER :

1. Heard learned A.P.P. appearing for the State. Perused the notes of evidence. In our prima

facie opinion, the medical evidence and also the evidence of the prosecution witnesses stating that the deceased was last seen in the company of the accused and he was never seen thereafter, has not been properly considered by the trial Court.

2. In that view of the matter, case is established for admission of the Appeal by allowing the application seeking leave to appeal.

3. The Criminal Application seeking leave to Appeal is allowed and stands disposed of, accordingly.

4. Appeal **Admit**. On admission, Mr. Kawade, learned counsel waives service of notice for Respondent Nos. 1 and 2. Mr. Thoke, learned counsel waives service of notice for Respondent Nos. 3 and 4.

5. Action under Section 390 of the Code of

Criminal Procedure to follow against the
Respondent Nos.1 to 4 before the Sessions Court,
Ambajogai.

[K.K. SONAWANE, J.]

asb/FEB17

[S.S. SHINDE, J.]