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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.51 OF 2017

Arjun Ramesh Pawar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.U.R.Mankapure, for the Applicant

Ms.Rutuja Ambekar, A.P.P for the Respondent-State

Police Havildar / 1400 – S.G.Savant, LCB, Sangli.

CORAM : REVATI MOHITE DERE, J.

DATE : 24th APRIL, 2017

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 268 of 2015 registered with the Islampur Police Station, Sangli, for the alleged offences punishable under Sections 302, 397 and 394 of the Indian Penal Code.

3. Learned Counsel for the Applicant contended that the prosecution case rests entirely on circumstantial evidence and that there is no incriminating material to connect the applicant with the alleged offences.

4. Learned APP opposed the application.

5. Perused the papers. The prosecution case rests entirely on circumstantial evidence. The incident in question has taken place in the intervening night of 19th and 20th December, 2015 in the residential house of Dr.Prakash Kulkarni. In the said intervening night, both Dr.Prakash and his wife were brutally assaulted and murdered, pursuant to which a complaint was lodged as against unknown persons. During investigation, the applicant alongwith the co-accused was arrested in December, 2015. There is sufficient material to show the complicity of the applicant in the commission of the double murder i.e. there is evidence of one Abdulrauf Tajuddin Bijapure, which is on page 160 of the application to show that the applicant alongwith juvenile co-accused were proceeding in the direction of the house of Dr.Kulkarni. There is recovery of mobile handset, credit cards,

Dr.Aruna's purse, blood stained clothes of the applicant and blood stained knife at the instance of the applicant. There is a statement of the shop owner – Imran Amin Shikalgar, from whom the applicant had purchased the knife.

6. Considering the aforesaid, this is not a fit case to enlarge the applicant on bail.

7. Hence, the Application for bail is rejected and disposed of as such.

8. It is made clear that the observations made herein are *prima facie* for deciding the aforesaid application and that the learned Judge shall decide the case on its own merits uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)