

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 743 OF 2017**

Mayur Chaman Bed	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. A. U. Nikam I/b Mr. Aashish Satpute for the Applicant

Mr. Prashant Jadhav, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
MONDAY, 3rd JULY, 2017

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 57 of 2016 registered with the Upanagar Police Station, Nashik, for the alleged offences punishable under Sections 302, 323, 504, 506 r/w 34 of the Indian Penal Code and under Section 3(25) of the Arms Act.

3. Perused the papers. The prosecution case rests on direct evidence. There are three eye-witnesses to the incident dated 17th February, 2016. The said witnesses have seen the applicant assaulting and abusing Ranjit Mangwana. The applicant is alleged to have held Ranjit's hands, pursuant to which, co-accused Rohit Mane is stated to have pulled out a revolver, tucked in his trouser and shot at Ranjit in his head. Ranjit collapsed and succumbed to the said injury. The incident appears to have taken place, on account of some previous quarrel.

4. The material on record shows, that the applicant alongwith other co-accused had taken deceased Ranjit from his house in the midnight and on account of some previous quarrel had shot him dead. The possibility of the applicant tampering with the evidence cannot be ruled out.

5. Considering the role of the applicant, this is not a fit case to enlarge the applicant on bail. Accordingly, the application is rejected.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

REVATI MOHITE DERE, J.