

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION No. 405 OF 2015**

Nana Tukaram Borse ... Applicant  
Vs.  
Akash Prakash Nigal & Ors. ... Respondents

Ms. Divya Parab i/b. Rameshwar N. Gite, Advocate for the Applicant.  
Mr. Deepak Thakre, APP for the respondent/State.

CORAM: **MRS.MRIDULA BHATKAR, J.**  
DATE: **23<sup>rd</sup> March, 2017.**

**P.C.:**

This Application is moved for cancellation of anticipatory bail granted to the respondents/accused by order dated 18<sup>th</sup> April, 2015 passed by the learned Additional Sessions Judge, Nashik in Criminal Misc. Application No. 379 of 2015.

2. The respondents/accused Akash Prakash Nigal and Bhushan Keda Thorat are facing charges under section 302 r/w. 34 of the Indian Penal Code and under section 4, 25 of the Arms Act. One Ravindra Nana Borse was killed on 16<sup>th</sup> February, 2015 on the road.

3. The learned counsel for the applicant/original complainant has submitted that the respondents/accused are facing charges of

murder and they were present at the time of incident, therefore, the order of granting bail be set aside and quashed.

4. Learned APP submitted that the State has not challenged the order of learned Additional Sessions Judge.

5. Perused the impugned order dated 18<sup>th</sup> April, 2015. There is nothing on record to show that accused have breached the conditions of bail. Moreover, after going through the submissions of Sanket Rangnath Bagul and other eye witnesses, it is found that the observations of learned Judge when he passed the order of bail that no direct evidence is available cannot be faulted with at this stage. There is no need to disturb the order of the learned Additional Sessions Judge. Hence, the Application is dismissed.

**(MRIDULA BHATKAR, J.)**