

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.965 OF 2017

IN

CRIMINAL APPEAL NO.200 OF 2017

Rajesh Premnath Dubey	Applicant
V/s.	
The State of Maharashtra	Respondent

Mr. Brijesh Shukla with H.Hussein, Advocates for Applicant.
Mrs. G.P.Mulekar, APP for Respondent-State.

**CORAM : SMT. V.K. TAHILRAMANI, &
SANDEEP K. SHINDE, JJ.**

DATE : July 25, 2017.

P.C. :

Heard both sides.

2 The applicant has been convicted under Section 302 of IPC for causing death of Nirmala on 3.7.2014 at about 9.10-9.15 p.m. by assaulting her with knife. The applicant is now seeking bail.

3 There are 3 eye witnesses to the incident, i.e., P.W.2-Arimardan, P.W.3-Kartik and P.W.18-Jahir. The

evidence shows that the applicant gave many blows to Nirmala with knife. P.W.2-Arimardan has stated that he saw male person and lady having scuffle near Gurudwara. Thereafter, he saw male person took out knife and gave blows with it on the stomach and chest of the lady. Lady fell down. Male person then started running away. He (Arimardan) chased the male person. Public also joined him in chasing the said person. Arimardan caught hold of the said male person. The said male person had knife in his hand which was 10-11 inches in length. He brought accused to the place where he caused injuries to the lady. Police also came there. He then handed over the said person to the police. Arimardan identified the applicant as same person who had stabbed the lady. So also P.W.3-Kartik and P.W.18-Jahir have also identified the applicant as the same person who had assaulted the lady with knife. Looking to the evidence on record, we do not find that this is a fit case to grant bail. The application stands rejected.

(SANDEEP K. SHINDE, J)

(SMT. V.K. TAHILRAMANI, J)