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

CRIMINAL BAIL APPLICATION NO. 2350 OF 2016

Uday Ashok Ghegadmal

...Applicant

vs

The State of Maharashtra

...Respondent

.....

Mr Shashank P. Borade for the Applicant

Mrs P.P.Shinde, APP for the Respondent

Mr. Dilip Tambe, API Wadala Police Station.

.....

**CORAM : SMT SADHANA S. JADHAV, J.
19 JANUARY, 2017**

P.C. :

Heard. This is an application seeking enlargement on bail under Section 439 of the Code of Criminal Procedure, 1973. The applicant herein is arrested on 6.11.2015 in Crime No. 180 of 2011 registered at Wadala Police station. The investigation is completed and charge-sheet is filed in January 2016 against the applicant for the offences punishable under Sections 307, 504, 506(2) of Indian Penal Code.

2 It is the case of the prosecution that on 16.11.2015 the applicant was driving bullet motorcycle. He had altercation with the taxi driver. The complainant and his associates were passengers in the said taxi, that the applicant entered into an altercation with the first

informant. He left the spot and then returned after some time only to demand some amount from the complainant as he could not recover the damages from the taxi driver. It is in the course of altercation, the applicant had drawn knife, which he was carrying and assaulted Nagendra who happened to be the brother of the complainant. The information was given to the police. Police rushed on the spot. The registration number of the motorcycle was noted and on the basis of the same, the applicant was arrested.

3 Perused the papers of investigation. Injured Nagendra has received three grievous injuries on his back which are in the nature of Contused Lacerated Wound. In fact the applicant had no enmity against the first informant or his brother. It is the case rage.

4 Learned APP has placed on record a report which indicates that by a judgment and order dated 6 October, 2015 the applicant herein has been convicted for the offences punishable under Sections 332 and 353 of Indian Penal Code. The applicant has been identified at the test identification parade. It would not be appropriate to release the applicant who has taken undue advantage of being at large, even after conviction.

5 Taking into consideration the papers of investigation, medical certificate, conduct of the applicant, criminal antecedent of the applicant, this court is not inclined to grant bail to the applicant. The application being sans stands rejected. The learned Sessions

Judge shall not be influenced by the observations made in this order,
at the time of trial.

(SMT SADHANA S. JADHAV, J.)