

Anand

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

BAIL APPLICATION NO. 479 OF 2018

Dwarkanath alias Jayesh Sopan Gawand .Applicant

Vs.

The State of Maharashtra .Respondent

Ms Mayuri D. Hatle, Advocate, for the Applicant
Mr. M. G. Patil, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 26.03.2018

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. I-52 of 2017 registered with the Kopri Police Station, Thane(E), for the alleged offences punishable under Sections 364, 302, 201 r/w 34 of the Indian Penal Code.

3. Perused the charge-sheet. The prosecution case rests on circumstantial evidence. The statement of Sunny Geddam reveals that the Applicant and other co-accused were last seen in the company of the deceased on 29.04.2017 at about 10.30 p. m., after which the deceased

went missing. There is recovery of the dead body at the instance of the Applicant buried in the sand along the river side.

4. Considering the aforesaid, this is not a fit case to enlarge the Applicant on bail. Accordingly, the Application stands rejected. However, having regard to the age of the Applicant, the trial of the Applicant is expedited. The learned Judge shall conclude the case as expeditiously as possible and in any event within one year from the date of receipt of this order.

5. 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.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)