

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.501 OF 2018**

Anand Ganpat Bajbalkar	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Satyavrat Joshi I/b. Mr. Jaydeep Mane for the Applicant.
Mr. Rajan Salvi, APP for the Respondent -State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED: 6th SEPTEMBER, 2018.

P.C.:-

This is an application for bail filed by the aforesaid Applicant, who is facing trial in Sessions Case No.40 of 2016 pending on the file of the Additional Sessions Judge, Pandharpur. The aforesaid case arises from C.R. No.342 of 2016 registered with Sangola Police Station, District-Solapur, for the offences punishable under Sections 302 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Satyavrat Joshi, the learned counsel for the Applicant and Mr. Rajan Salvi, the learned APP for the Respondent -State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The first informant is the father of deceased -Prashant. The FIR prima facie reveals that the Applicant had threatened Prashant to

cause his death since said Prashant was having illicit relationship with the Applicant's wife. Family members of both the parties had tried to intervene and mediate but were unable to resolve the dispute. The FIR reveals that on 22nd May, 2018 at about 9.00 p.m. the first informant had received a phone call that some boys were assaulting Prashant. When he reached the place of the incident he saw that Prashant was lying in an injured condition. Thereafter he was taken to the hospital and was declared dead. The post mortem report prima facie reveals that Prashant expired as a result of stab injury to abdomen. The statement of the eye witness Vinayak Karande prima facie reveals that the Applicant had given a forcible blow on the back of the deceased-Prashant. The material on record prima facie shows the involvement of the Applicant in commission of an offence, which is of serious nature. Witnesses who are known to the Applicant are yet to be examined. Releasing the Applicant on bail at this stage will hamper the trial.

4. Considering the above facts and circumstances, this is not a fit case for grant of bail at this stage. Hence, the application is rejected.

(SMT. ANUJA PRABHUDESSAI, J.)