

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

BAIL APPLICATION NO. 585 OF 2018

Bablu Shiv Prasad @ Ravindra PrasadApplicant
V/s.

The State of MaharashtraRespondent

Mr. Satyavrat Joshi for the applicant.

Mr. S.H. Yadav, APP for the State.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 31th AUGUST, 2018.**

P.C.:

. This is an application for bail under Section 439 of Criminal Procedure Code filed by the aforesaid applicant, who is facing trial in Sessions Case No.94/2018 arising from C.R.No.608/2017 registered at Pimpri Police Station, District Pune for offences punishable under section 307 of the Indian Penal Code.

2. Heard Mr. Satyavrat Joshi, learned counsel for the applicant and Mr. S.H. Yadav, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The afore stated crime was registered pursuant to the first information report dated 23/10/2017 lodged by the victim Suraiya Shaikh. The first information report *prima facie* reveals that the applicant was known to the first informant. The applicant was friendly with one Ganga Maldal. On 22/10/2017, when the first informant was leaving Kalpana Hotel, she asked the present applicant about Ganga Mandal and told him that she would take Ganga along with her, applicant got annoyed and he inflicted injuries with a knife on her neck and other parts of body.

4. The records reveal that the first informant was referred to the hospital. The medical certificate which is at page 67 *prima facie* indicates that the first informant had suffered : i) *cut/laceration over neck by sharp and cutting object (8x2x2cm)*, ii) *laceration over right breast (2x1x1cm)*, iii) *abrasion over left breast (4x1cm)*, iv) *cut/laceration over left forearm anterior aspect (4x1x1cm)*, v) *laceration over right forearm dorsal aspect (1x1x1cm)*. The injury no.(i) is stated to be of grievous nature.

5. The statement of the eye witness/Ganga Mandal also *prima facie* reveals that the applicant had inflicted injuries on the first informant

with a knife. The knife being the weapon of the offence has been recovered at the instance of Bablu Shiv Prasad as per the memorandum given by him on 25/10/2017. There is thus *prima facie* material to show the involvement of the applicant in commission of the said crime. The offence is of serious nature. The applicant is not a native of this State and releasing him on bail can hamper the trial. Furthermore, considering his relationship with Ganga, there is possibility of the applicant interfering with the eye witnesses who are known to him.

4. Considering the above facts and circumstance, this is not a fit case for grant of bail. Hence, Bail Application is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)