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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 664 OF 2018
IN
CRIMINAL APPEAL NO. 590 OF 2018

Ramesh Shrirang Sawant .. Applicant

Versus

The State of Maharashtra .. Respondent

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Appearances

Mr. Prosper D'Souza	<i>Advocate (appointed) for the Applicant</i>
Mr. Arfan Sait	<i>APP for the State</i>

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**CORAM : SMT. V.K. TAHILRAMANI, ACTING C.J. &
M.S. SONAK, J.**

DATE : JUNE 04, 2018.

ORAL ORDER [PER SMT. V.K. TAHILRAMANI, ACJ.] :

1. Heard both sides.
2. The applicant - original accused No. 1 has been convicted and sentenced under Section 302 r/w 34 of IPC. The applicant is now seeking bail.

3. It is the case of the prosecution that the applicant along with accused Nos. 2 and 3 assaulted Prakash on 10.10.2013 at about 1.15 p.m. to 1.30 p.m in Grampanchayat Office, Mohi and thereafter outside the Grampanchayat Office. There are three eye witnesses to the incident i.e PW 1 Amol, PW 2 Suresh and PW 4 Santosh.

4. The evidence of PW 1 Amol shows that at about 1.00 p.m., Prakash came to Grampanchayat Office, Mohi. He made inquiries about Goat Rearing Scheme at about 1.15 p.m. to 1.30 p.m. Two persons suddenly came into the office. They stated that this person has ruined their lives and they started beating Prakash with iron rod and weapon like Tommy on the head and other parts of the body. The applicant assaulted with Tommy which is like an iron rod. Prakash started bleeding from his head and he fell down from the chair. Even then those persons continued to beat Prakash. Both of them that is including the applicant then dragged Prakash outside Grampanchayat office and again

the applicant and other accused assaulted Prakash. The evidence of PW 2 Suresh and PW 4 Santosh is on similar lines as that of PW 1 Amol. The medical evidence shows that Prakash has sustained eight injuries on his person.

5. In view of the above facts, we do not think that this is a fit case to grant bail. Hence, the application for bail is rejected.

[M.S. SONAK, J]

[ACTING CHIEF JUSTICE]