

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3228 OF 2018**

Arun Bihari Rajbhar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Kuldeep S. Patil for the Applicant

Mr. A. R. Kapadnis, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 12th JUNE 2019

P.C. :

- 1 Heard learned counsel for the parties.

- 2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. I-467 of 2018 registered with the Waliv Police Station, Palghar, for the alleged offences punishable under Sections 302, 326, 324, 143, 147, 148, 149, 427 of the Indian Penal Code.

- 3 Perused the papers. According to the prosecution, the incident took place on 25th May 2018 at about 10:45 p.m. It is alleged that in the said incident, the applicant assaulted deceased-Shivprakash Badrinath Pal,

when he intervened in the quarrel that took place between the applicant and Aakash Singh. The applicant is alleged to have assaulted the deceased with a wooden stick, which was lying on the spot. The cause of death in the post-mortem is stated as, “Traumatic subarachnoid hemorrhage and extradural hemorrhage due to bl trauma over head in an alleged case of physical assault. (UNNATURAL)”. There are eye-witnesses to the said incident i.e. Moiz Rehman and Kishan Tipreddy.

4 Considering the material on record, it is not a fit case to enlarge the applicant on bail. Accordingly, the application is rejected. However, the trial of the applicant is expedited.

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.

REVATI MOHITE DERE, J.