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IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL BAIL APPLICATION NO. 6 OF 2019**

Akash Subhash Gade

.....Applicant

V/s.

The State of Maharashtra

.....Respondent

Mr. Abhaykumar Apte advocate for the applicant

Mr. S. S. Hulke APP for the State

CORAM : NITIN W. SAMBRE, J.**DATE : JANUARY 14, 2019.****P.C.**

Heard the learned counsel for the applicant and the learned
APP.

2 Applicant is seeking regular bail in Crime No. 232/2018 registered with Sinhgad Road Police Station, Pune for offence punishable under sections 307, 364, 323, 504, 506 r/w 34 of the Indian Penal Code. Applicant came to be arrested on 23/05/2018 and is charge-sheeted.

3 The learned counsel for the applicant submits that the applicant is not named in the F.I.R. but for one, none of the eye witnesses have identified the applicant for want of identification parade. He would also try to rely upon certain contradictions in the statement of the eye witnesses.

4 If the aforesaid submissions are considered in the light of the statement of the eye witnesses and also that of victim Jotiba, the applicant was identified by the victim Jotiba in identification parade.

5 Apart from above, the fact that each of the eye witnesses should have been called in identification parade need not be appreciated at this stage of the proceedings. As far as the issue of contradiction is concerned, same cannot be gone into at this stage. There is strong material available against the applicant of *prima facie* involvement. Application fails, stands rejected.

[NITIN W. SAMBRE, J.]