

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

CRIMINAL BAIL APPLICATION NO. 314 OF 2019

Ramniwas Hariram Bishnoi	...	Applicant
Versus		
State of Maharashtra	...	Respondent

Mr. Satyavrat Joshi for Applicant.
Mr. A. A. Palkar, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.
DATE : JANUARY 30, 2019.

P.C. :

. In Crime No. 723 of 2016 for an offence punishable under Sections 302, 307 read with Section 34 of the Indian Penal Code the Applicant is seeking regular bail. The Applicant came to be arrested on 30th November 2016.

2. The learned Counsel for Applicant submits that there was no motive attributed to the Applicant in the crime in question and the role as could be inferred from the investigation papers is that of secondary one. According to the learned Counsel, since the charge is already framed and

there are no criminal antecedents, the Applicant needs to be released on bail.

3. The learned APP opposed the prayer based on the statement of eye-witnesses.

4. Having considered the rival submissions, what is noticed is, apart from the statement of various eye-witnesses implicating the Applicant with a direct role of assault in the crime in question, there is recovery at the behest of Applicant. Sufficient material available on record to infer the *prima facie* involvement of the Applicant in the crime in question.

5. As such, the present Bail Application fails. Hence, the same is rejected.

(NITIN W. SAMBRE, J.)