

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

**CRIMINAL BAIL APPLICATION NO. 1019 OF 2019**

Amarjeet Satiram Rajbhar ...Applicant

**Versus**

The State of Maharashtra ...Respondent

...

Mr. R.D. Suryawanshi, Advocate for the Applicant.

Mr. Ajay Patil, A.P.P. for the Respondent-State.

Mr. Ganpat Babu Ganeshkar, P.S.I. Narpoli Police Station, Bhiwandi Thane City present.

...

**CORAM : SANDEEP. K. SHINDE, J.**

**DATE : 08<sup>th</sup> NOVEMBER 2019.**

**P.C.**

1. Heard learned counsel for the applicant and learned A.P.P. for the Respondent - State.

2. Applicant is seeking release on bail in connection with Crime No. I - 125 of 2018 registered with Khadakpada Police Station, Kalyan for the alleged offences punishable under Sections 302, 382, 449 and 201 read with 34 of the Indian Penal Code, 1860.

3            Applicant (accused) was tenant of deceased Mahadev, aged 90 years. He was residing in the house adjacent to the house of deceased. It is alleged that in the night intervening on 11<sup>th</sup> April 2018, accused entered the house of deceased Mahadev and assaulted him with a stick on the face, nose, eye, ear and head and caused grievous injuries and killed him. Assault was witnessed by his wife. Complaint was lodged on 11<sup>th</sup> April, 2018, by the son of the deceased and the applicant came to be arrested on 12<sup>th</sup> April, 2018. Evidence shows deceased wife had disclosed this fact to her son (Meghnath). Statement of Meghnath (son of deceased) was recorded on 12<sup>th</sup> April, 2018 which shows the incident was disclosed to him by his mother. It is only after recording the statement of Meghnath on 12<sup>th</sup> April, 2018, the applicant came to be arrested. The evidence shows the wife of deceased was 85 years old also died on 14<sup>th</sup> April, 2018, may be she could bear the shock as incident was witnessed by her.

4.            Be that as it may, there is evidence

indicating the complicity of the accused in the subject crime. Thus, taking into consideration, the material on record, the application is rejected.

5. The learned counsel for the Applicant submits that the trial may be expedited.

6. If the trial does not commence within one year the applicant may renew his request for expediting trial.

7. The application stands disposed of.

***(SANDEEP. K. SHINDE, J.)***