

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1020 OF 2019

Mr. Amit Suresh Sangale.] ... Applicant

Versus

The State of Maharashtra.] ... Respondent

Mr. Sanjay Singh for Applicant.

Smt. A. A. Takalkar, APP for State.

Mr. B. K. Gavali, PSI attached to Upanagar Police Station, present.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 04 JUNE, 2019

P. C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No.I-353 of 2018 registered with Upanagar Police Station, District Nashik, under Section 307 read with 34 of the IPC.

2. The FIR was lodged by one Rajendra Ghuge on 25/09/2018 in respect of an incident dated 24/09/2018 which took place near the jogging track near Ganesh temple. The first informant is not an eye witness. However, the statement of injured Yogesh himself is recorded. It is clearly mentioned in that statement that on

24/09/2018 at about 10.00 p.m., he was present near the jogging track with his friends. At that time, the present Applicant and 3 others came there in a Skoda car. Out of them, Prasad held Yogesh and the present Applicant inflicted blows of knife on Yogesh. Yogesh fell down. His friends took him to Suvichar Hospital and thereafter to Sahyadri Hospital and then to Wockhardt Hospital. The investigation is over. The present Applicant was arrested on 13/09/2018.

3. I have perused the investigation papers. The medical certificate corresponding to the injuries suffered by Yogesh shows that he had suffered 4 deep wounds over his abdomen and other parts. The injuries were serious. Therefore, the offence was rightly registered under Section 307 of the IPC.

4. Considering the direct evidence, the injuries suffered by Yogesh and the statement of Yogesh himself, no case for bail is made out. The Application is therefore rejected.

(SARANG V. KOTWAL, J.)