

convicted for offence punishable under section 302 and 452 read with section 34 of the Indian Penal Code, 1860. For the offence punishable under section 302 of IPC, they are sentenced to suffer R.I for life and fine of Rs.20,000/- each. For the offence punishable under section 452 r/w 34 of IPC, both are sentenced to suffer RI for 3 years and fine of Rs.5000/- each. .

3 The Appeal filed by the applicant is already admitted and the present application is filed for grant of bail.

4 In order to prove the case, prosecution has examined twelve witnesses. Out of twelve witnesses, Prosecution Witness Nos.2 and 4 are eye witnesses (wife and daughter of the deceased respectively). Both the witnesses deposed that the present applicant and the original accused No.2-Mohammad Akram @ Sheru Mohammad Hanif Shaikh at about 1.30 p.m on 20th January 2014 entered the house of the deceased. They all dragged deceased Mehamood in the passage of staircase. Both the accused dealt blows of knife and sword in their possession on chest, stomach, hands, wrist and back of the deceased.

5 The learned counsel for the applicant invited our attention to the contradictions in the depositions of the above said witnesses. However, at this stage, we cannot appreciate the evidence. That apart,

applicant is in custody during the pendency of the trial. In our opinion, no case is made out for grant of bail. Consequently, application is rejected.

[SURENDRA P.TAVADE, J.]

[RANJIT MORE, J.]