

Urmila Ingale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1298 OF 2019
IN
CRIMINAL APPEAL NO. 255 OF 2019**

Sandip Bhalchandra Wagh and anr. .. Applicants

Vs.

The State of Maharashtra .. Respondent

Mr.Aniket U.Nikam, for Applicants.

Mr.J.P.Yagnik, App for State.

**CORAM : RANJIT MORE &
M. S. KARNIK, JJ.**

DATE : 18th NOVEMBER, 2019.

P. C. :

. After hearing for some time Mr.Nikam, learned Counsel for the applicant states that he is not pressing the bail application of applicant No.1. Statement is accepted. Mr.Nikam also states that he may be granted liberty to file a fresh application after one year. Liberty to file after 1 year is granted.

2. So far as applicant No.2 - original accused No.2 is concerned, the only evidence against him is about recovery of knife. Recovery of knife was effected from nullah.

3. One Dr. Nikhil Somnath Saindane is examined as P.W.11. He has stated in his deposition that on 23/06/2016 i.e. next date of recovery

of the said knife, Ambad police station forwarded a sealed packet for examination and for submission of the weapon examination report. He further stated that he unsealed the said sealed packet and found one big knife having metallic body and yellowish in colour. He has stated that weapon was single edged and there were no blood stains on it.

4. In the above facts and circumstances, we are inclined to grant bail to applicant No.2 pending final disposal of the Appeal.

5. The sentence imposed upon applicant No.2 is suspended. Applicant No.2 is directed to be released on bail on execution of PR bond in the sum of Rs.25,000/- with one or more solvent sureties in the like amount to the satisfaction of the trial Court on the following conditions :

(a) Applicant No.2 shall report to Ambad police station once in a month.

(b) Applicant No.2 shall remain present at the time of final hearing of the above Appeal.

6. Application is disposed of.

[M. S. KARNIK, J.]

[RANJIT MORE, J.]

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