

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

CRIMINAL BAIL APPLICATION NO. 3258 OF 2018

Vitthal Babasaheb Gund ... Applicant
Versus
The State of Maharashtra ... Respondent

Mr. Akshaykumar J. Mete for Applicant.
Mr. N. B. Patil, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.
DATE : JANUARY 17, 2019.

P.C. :

. In Crime No. 531 of 2016 for an offence punishable under Sections 302, 307 & 452 of the Indian Penal Code, the Applicant is seeking regular bail. After the arrest of Applicant on 9th July 2016 he came to be chargesheeted.

2. The charge against the Applicant is that of murder of the son of his own maternal uncle and assaulting the other family members.

3. The submission of the Applicant is that his involvement in the crime in question cannot be inferred, as the eye-witnesses to the incident

have narrated the story in contradictory manner. It appears from the record that the Applicant in a pre-planned manner came to the place of the victims in the late night and stayed with them. When the victims were in deep slumber, the Applicant assaulted them resulting into causing murder of the son of his own maternal uncle and serious injury to the other family members. The eye-witnesses have specifically implicated the Applicant in the crime in question.

4. That being so, no case for grant of bail is made out. Hence, the Criminal Bail Application stands rejected.

(NITIN W. SAMBRE, J.)