

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO. 547/2018

Pravin S/o Tukaram Bhagat (In jail)

..VS..

State of Maharashtra, through S.D.P.O., Yavatmal,

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms Deepa Charlewar, Advocate (appointed) for the appellant.
Shri. T. A. Mirza, A.PP for the respondent.

CORAM : Z.A.HAQ, AND
PUSHPA V. GANEDIWALA, JJ.

DATED : 10th October, 2019

This appeal is against the order of rejection of bail to the appellant, passed by the learned Sessions Judge on 06th August 2018 in Spl. Case No.18/2018, arising out of Crime No.347/2017, registered at Police Station Awadhutwadi, Yavatmal for the offences punishable under Sections 302, 143, 147, 148, 149, 120-B, 201, 212 read with Section 34 of the Indian Penal Code with Sections 4, 25 of the Arms Act and Sections 3(2)(v) and 3(2)(va) of the Schedule Castes and Schedule Tribes (Prevention of Atrocities) Act 1989, and Section 135 of Maharashtra Police Act, 1951.

Perused the appeal memo, reply on behalf of the State and the impugned order.

Learned A.PP. also brought to the notice of this Court one order passed by the Single Judge of this Court (one of us Shri Justice Z. A. Haq) dated 25th October 2018, in Criminal Appeal No.625/2018, wherein the bail of co-accused in the

same crime was rejected in view of the nature of offences and the accusations.

The role attributed to the present appellant is the same. It is informed that, in this crime total 12 accused have been involved and all are in custody, none of them is granted bail.

The allegations against the present appellant and the co-accused are that these accused persons have committed brutal murder of the deceased by means of various lethal weapons. There are eye witnesses to the incident. It is also informed that the incident occurred due to political rivalry between them.

For the reasons stated aforesaid, at this stage, we are not inclined to allow the appeal.

The appeal is **dismissed**.

Fees to be paid to the advocate appointed to represent the appellant is quantified at Rs.1,000/- (Rs. One Thousand only).

CRIMINAL APPLICATION (APPA) NO. 35/2019.

In view of dismissal of the appeal, the application praying for time to file certified copy of order dated 06.08.2018 and typed copy of F.I.R. with minor office objection does not survive. Hence, it is **disposed**.

JUDGE

JUDGE