

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

ANT. BAIL APPLICATION NO.751 OF 2020

Vishal Arjun Rupwate ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Jitesh M. I/by Mr. A.S.Bolle for the Applicant.

Ms. P.P.Shinde, APP for the Respondent-State.

API D.V.Aware attached to Khadakpada Police Station,
Kalyan present.

CORAM : SANDEEP K. SHINDE J.
DATE : 14th DECEMBER, 2020.

P.C. :

Heard.

2 FIR prima-facie, discloses complicity of the applicant in the subject crime registered for the offences punishable under Sections 307, 326 of the Indian Penal Code, 1860. Besides, FIR statements of witnesses recorded under Section 164 of the Code of Criminal Procedure, 1973 also disclose, applicant's complicity in the crime.

3 The learned counsel for the applicant submits though the alleged incident had taken place on 2nd August, 2020, medical certificate produced by the prosecution shows, complainant was admitted in the hospital on 5th August, 2020. Besides, it is contended that applicant has no criminal antecedents and, therefore, he may be granted pre-arrest bail.

4 I have perused the FIR, injury certificate and statements of witnesses recorded under Section 164 of the Cr.P.C.

5 Be that as it may, I have no reason to disbelieve statements of witnesses and the medical certificate, which show, complainant had suffered two grievous injuries on the vital parts of his body besides two simple injuries. It is informed across the bar that co-accused are not available at their last known address.

6 In consideration of the above acts, application is rejected.

7 It is made clear that observations made here-in-above be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)