

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 981 OF 2020

Shrikant s/o Vinod Bhasme, Wardha

Vs.

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Shri S.A. Chaudhari, Advocate for the applicant.
Shri I.J. Damle, A.P.P. for the respondent/State.

CORAM : PUSHPA V. GANEDIWALA, J.

DATED : DECEMBER 02, 2020.

Heard.

2. The applicant is said to be arrested on 17/05/2020 in connection with Crime No. 240/2020 dated 17/05/2020 registered at Police Station Pulgaon, District Wardha for the offence punishable under Sections 302 and 324 read with Section 34 of the Indian Penal Code, 1860.

3. The case of the prosecution, in nutshell, is that on 16/05/2020, at about 19:45 hours, when the complainant and the deceased Rohit were sitting outside the house of the complainant, the present applicant along with the other accused persons came there, armed with iron pipe, sickle and wooden rod, and assaulted the deceased Rohit with their respective weapons, which resulted in the death of the deceased Rohit.

4. Shri Chaudhari, learned counsel for the applicant, submits that the present applicant was arrested only on the basis of the statements given by the family members of the deceased. That the applicant is behind the bar since more than six months and thus, he prayed for releasing the applicant on bail.

5. Per contra, Shri Damle, learned A.PP, strongly opposed the bail application through the reply affidavit filed on record.

6. I have perused the record, reply affidavit and the chargesheet, with the assistance of learned counsel appearing for both the parties.

7. At the outset, there are eye witnesses to the incident so also the weapon used by the present applicant was iron pipe. That the present applicant played an active role in commission of crime. It appears that the incident was the result of enmity between the parties as there was a previous quarrel between the applicant and the deceased Rohit. Also, an iron pipe with blood stains is stated to be recovered at the instance of the present applicant.

8. Considering the nature of offence and the role attributed to the present applicant, this Court is of the opinion that the he does not deserve bail at this juncture. Hence, the application is rejected.

JUDGE