

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

33 ANTICIPATORY BAIL APPLICATION NO.648 OF 2021
WITH APPLN/1329/2021 IN ABA/648/2021

SACHIN RAMPRASAD SHELKE
VERSUS
THE STATE OF MAHARASHTRA

Mr.P.A. Bhosale, Advocate for the applicant.
Mr.V.M. Kagne, APP for the respondent/State.
Mr.K.S. Kahalekar, Advocate for the complainant.

CORAM : SANDEEP K. SHINDE, J.
DATED : 19.07.2021

PC :-

01. Heard. The applicant seeks pre-arrest bail in connection with Crime No.24 of 2021, registered with Shevali Police Station, Dist. Jalna, for the offences punishable under sections 302, 120(B), 201 of the Indian Penal Code.

02. Ramesh Shelke (deceased) was paternal uncle of the applicant. There was a long standing dispute between the families of Ramesh and of the applicant. Applicant's father, mother and a brother are co-accused for committing murder of Ramesh Shelke. It is case of contract killing and one Arjun Dandait was given contract by the applicant and his family members to eliminate Ramesh Shelke. In turn, Arjun with the help of Akash and

Krishna eliminated Ramesh. He died of head injury associated with extensive burns. There is dependable material on record to argue that Ramesh was eliminated by Arjun with the assistance of Askash and Krishna. Thus, applicant and his family members conspired to cause murder of Ramesh Shelke through contract killer. Obviously, in a case of conspiracy, direct evidence cannot be gathered. However, in this case, statement of one Pandurang Pohekar, suggesting that the applicant and co-accused were harbouring grudge against Ramesh over a dispute in respect of agricultural land and evidence in the form of CDR and also complaints and cross-complaints prima facie shows agreement between co-accused to eliminate Ramesh.

03. Call details on record indicate that the applicant was in contact with Arjun (contract killer) before and after the incident. In a supplementary charge-sheet, prosecution has brought on record call details and such other evidence to indicate that Arjun was using four SIM cards. One ending with digits 7302 was being used by the applicant. Arjun's son Abhimanyu was using another SIM card of Arjun. Call details show the SIM card ending with digits 7302 was used by the applicant before and after the incident i.e. 7th and 8th February, 2021 frequently.

04. Having regard to facts of the case, gravity of the offence which is punishable with death or punishment for life, application is rejected.

05. Criminal Application No.1329 of 2021 is also disposed of.

[SANDEEP K. SHINDE,J.]