

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

BAIL APPLICATION NO. 704 OF 2019

Akshay Laxman Ingulkar

..Applicant

v/s.

The State of Maharashtra

..Respondent/s

Ms. Supriya Kak for the Applicant .

Mr. S.V.Gavand, APP for the Respondent-State.

Mr. Raju Jagdale, PI. Hadapsar Police Station, present.

CORAM : ANUJA PRABHUDESSAI, J.

DATED : 17th NOVEMBER, 2021.

P.C.

1. The Applicant who is facing trial in Sessions Case No. 853 of 2013 for the offences under Section 143, 144, 147, 341, 302, 307, 341, 396, 506 (2) r/w. 149 and 120(b) of the IPC has filed this application under Section 439 of Cr.P.C. for enlargement on bail.
2. Crime against the Applicant was registered pursuant to the FIR lodged by Rajendra Pingale. It is the case of the prosecution that on 8.7.2013 the Applicant along with others formed an unlawful assembly, armed with deadly weapons with common object of causing death of Prakash Gondhale. It is alleged that the Applicant and others assaulted Prakash Gondhale with sharp

weapons like koyta/sword and thus caused his death.

3. The statements of the eye-witnesses prima facie reveals that the Applicant was a member of unlawful assembly. He was armed with a sharp weapon and that he and others had inflicted injuries on Prakash Gondhale. The post-mortem report reveals that the deceased had sustained 32 injuries in the nature of chop wounds, stab wounds, incise wounds on the vital parts of the body. The offence alleged against the Applicant is serious. Considering the nature of the offence and the material in support thereof, in my considered view, this is not a fit case for grant of bail. Furthermore, learned APP has stated that so far 12 witnesses have been examined and only 4 to 5 witnesses remain to be examined. In the light of the above statement, I am not inclined to grant bail. Hence the application is dismissed.

4. Ms. Supriya Kak, Counsel appointed from the Legal Aid Panel to represent the Applicant, be paid her remuneration as per rules.

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(ANUJA PRABHUDESSAI, J.)