

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

CRIMINAL BAIL APPLICATION NO. 1063 OF 2020

Sashish Sanjay Keripale	... Applicant
versus	
The State of Maharashtra	 Respondent

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Mr. Umesh R. Mankapure, Advocate for the Applicant.
Smt. J. S. Lohokare, APP for State-Respondent.

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CORAM : SARANG V. KOTWAL, J.
DATE : 08th FEBRUARY, 2021

P.C. :

1. The applicant is seeking his release on bail in connection with C.R. No.118/2017 registered at Sangli Rural Police Station, Dist. Sangli under Sections 302 and 34 of Indian Penal Code. The applicant was arrested on 9th August 2019 and since then he is in custody.

2. Heard Mr. Umesh R. Mankapure, learned Counsel for the applicant and Smt. J. S. Lohokare, learned APP for the State.

3. The prosecution story is that there used to be quarrels between the deceased Geetanjali and her husband Uttam. Uttam is

the main accused. He hired contract killer to commit her murder. The present applicant is one of the contract killers. On 5th August 2017, the applicant, one Sachin Chavan and one Ganesh Awale went to Geetanjali's house, strangled her with a nylon rope, stabbed her and thus, committed her murder. The Post Mortem note shows that there were stab injuries as well as strangulation marks. The cause of death given was stab injuries with strangulation.

4. Mr. Umesh Mankapure, learned Counsel for the applicant submitted that all other accused, except the present applicant are released on bail and therefore, on the ground of parity, he should be released on bail. He submitted that the evidence against the applicant is very weak. It is mainly in the nature of extra judicial confession. Therefore, the applicant may not be denied bail.

5. Learned APP opposed this application. She submitted that trial is almost on the verge of beginning. On merits, she submitted that there is sufficient material against the present applicant. There are three witnesses who speak about the extra

judicial confession given by the applicant. She submitted that there are additional circumstances of recovery of bloodstained clothes, blood-stained knife and map of the way to the house of the deceased. She submitted that therefore, the applicant does not deserve to be release on bail.

6. I have considered these submissions. There are three witnesses who have stated about the extra judicial confessions made by this accused to them. They are Mahesh Kamble, Ashish Kamble and Shubham Yevle. Their statements were recorded under 161 as well as 164 of Cr.PC. All of them have stated that the applicant met them on different occasions between 5th and 6th August 2017 and confessed about commission of Geetanjalis' murder.

7. Ashish Kamble's statement in fact shows that when the applicant was making confession, he demanded money from the main accused Uttam More. Uttam brought Rs.3,500/- and gave that money to the applicant.

8. Shubham Yevle has stated that the applicant had confessed to him that he had taken Rs.50,000/- for commission of

that murder. All these witnesses were threatened by the applicant. Besides, these, the extra judicial confessions, another strong circumstance is of recovery of blood stained clothes and a knife which were concealed by him and recovered at his instance. These articles were blood stained and C.A. report shows that it was human blood. Besides this, a map of the way to Geetanjali's house was found when the applicant was arrested. This again is a strong and different circumstance against the present applicant. Considering the cumulative effect of all these circumstances, the prosecution has sufficient evidence against the present applicant. No case for grant of bail is made out. The offence is serious. The applicant has committed this offence for money.

9. The application is rejected.

(SARANG V. KOTWAL, J.)