

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

Criminal Application (BA) No. 607 of 2021

(Praful Panditrao Thokal ..vs.. The State of Maharashtra through P.S.O., P. S. Karanja Lad,
Tah. Karanja Lad, Distt. Washim)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. K. Tripathi, Advocate for the applicant
Ms. T. H. Udeshi, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 19-07-2021

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the visual quality was proper.

2. The applicant is arraigned as accused in Crime 239/2020 registered with Police Station, Karanja Lad for offences punishable under Sections 302, 307 and 323 read with Section 34 of the Indian Penal Code.

3. The accusation is that the applicant ran riot with an iron rod, that he first dealt blow with the iron rod on the head of his uncle Babulal, who fell unconscious. The cousin of the applicant Gajanan who came to the rescue of his father, Babulal, was mercilessly and brutally

assaulted with the iron rod, even after he was felled by the first blow and he succumbed to the injuries.

4. The version of the eye witnesses is consistent. One of the eye witnesses is also assaulted. While the learned counsel Mr. Tripathi is making a submission on the basis of previous enmity, that precisely appears to be a motive for the assault.

5. Considering the nature of accusations, overwhelming evidence on record and the brutal manner in which the applicant killed his paternal cousin and seriously injured his paternal uncle, I am not inclined to grant bail.

6. The application is dismissed.

JUDGE