

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

CRIMINAL APPLICATION (BA) NO.890 OF 2021

(Ankit Vijayrao Chaturkar Vs. State of Maharashtra thr. PSO PS Kotwali, Nagpur)

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

Court's or Judge's orders.

Mr. P. S. Jaiswal, Advocate for Applicant.
Mrs. K. R. Deshpande, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 28th SEPTEMBER, 2021.

The applicant is seeking bail in connection with Crime 155/2020 registered with Police Station Kotwali, Nagpur for offences punishable under sections 302, 120(B) read with section 34 of the Indian Penal Code.

2. The prosecution case is that Raj Dorle and accused 1 Mukesh Narnaware were on inimical terms. The incident occurred on 26.02.2020. Raj Dorle is allegedly brutally done to death by co-accused Mukesh Narnaware and applicant Ankit Chaturkar. The material in the charge-sheet reveals that the eye witnesses have seen accused Mukesh bludgeoning Raj Dorle with a base ball bat and the applicant Ankit Chaturkar inflicting stab wounds with knife. The statements of the eye witnesses are recorded under section 164 of the Criminal Procedure Code, 1973 (Code). One of the eye witnesses is a minor. The knife allegedly used by the applicant Ankit Chaturkar is seized

pursuant to statement of co-accused Mukesh Narnaware, which is to the effect that he took the knife from the applicant Ankit Chaturkar and threw it away. The postmortem report reveals that Raj Dorle was done to death in an extremely cruel and brutal manner. The material against the applicant Ankit Chaturkar is formidable. Considering the heinous nature of the accusation and the formidable *prima facie* case, I am not inclined to grant bail.

3. The application is dismissed.

4. At the instance of the learned counsel for the applicant, though not necessary, it is clarified that the observations are made only for the purpose of deciding the bail application and shall not prejudice the accused in the trial court.

JUDGE