

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.790 OF 2022

Ankush s/o Ganesh Jagtap

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. S.S. Rathi, Advocate for applicant
Mr. V.S. Badakh, A.P.P. for respondent – State.
.....

CORAM : R. G. AVACHAT, J.

DATE : 26th JULY, 2022.

PER COURT :

Heard Mr. Rathi, learned counsel for the applicant.
The F.I.R. has been lodged by son of the deceased on 28/4/2021. The informant is a medical officer. He is resident of village Somthana, Taluka Basmath, District Hingoli. The F.I.R. has been lodged based on the information received by him from his sister Swarangi. The same is, therefore, not referred to.

2. The applicant is a nephew of the deceased. There is material to indicate that the family of the applicant and that of the deceased had a dispute over agricultural land. There

are also statements to indicate that the applicant had all along been threatening the deceased. There is an eye witness account in the nature of statements of daughter and wife of the deceased and another nephew Jagdish. All these three witnesses have unequivocally stated to have had seen the applicant assaulted the deceased with a piece of tile (फरशीचा तुकडा). The deceased breathed his last on way to hospital. As such, there is prima facie material to indicate involvement of the applicant in the offence of murder. The bail application, therefore, deserves to be rejected. The same is rejected.

**(R. G. AVACHAT)
JUDGE**

fmp/-