

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

BAIL APPLICATION NO.1336 OF 2022

Suresh Dhansing Rathod

..Applicant

Vs.

The State of Maharashtra

..Respondent

Mr.S.J.Salunke, Advocate for applicant
Mr.V.S.Badakh, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : SEPTEMBER 12, 2022**

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.42 of 2021 registered with Islapur Police Station, Dist.Nanded, for the offence punishable under Section 302 of Indian Penal Code.

2. Heard learned counsel appearing for the parties.

3. The FIR has been lodged by one Manoj on 31.05.2021. The applicant is alleged to have murdered Bebibai, mother of the informant, by 09.45 a.m. on 31.05.2022. The informant claimed to

have had seen the applicant armed with a blood stained sickle, soon after the applicant assaulted Bebibai. There is also eye witness account in the nature of 14 years old son of the informant namely, Akshay. His statement indicates the applicant to have assaulted his mother. His statement indicates that he was present nearby the scene of the offence. There is also extra-judicial confession made by the applicant to his driver. There is further material to indicate the applicant to have approached the concerned police station, confessed the crime and produced a blood stained sickle before the police.

4. It is also informed that the charge has been framed. Although the trial Court has rejected the applicant's application for bail without giving him opportunity of hearing, this Court has heard learned counsel for the applicant at length and finds it to be a case not fit for grant of bail.

5. The application is rejected.

[R.G. AVACHAT, J.]

KBP