

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

925 BAIL APPLICATION NO.1809 OF 2022

VISHAL VIJAY SAPKALE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Patil Vijay Bhalerao.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 22.11.2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant has been arraigned as an accused for the offence of murder.
3. Learned counsel for the applicant referring to the various statements argued that there is no active role played by the applicant. About 50 to 60 persons from two groups were pelting stones against one another. There are allegations against the co-accused Sagar. The statements of the witnesses have been recorded belatedly. Hence, he may be granted bail.
4. Learned APP has strongly opposed the application. He has referred to the First Information Report in which various

family members were named as eye witnesses. The witnesses are consistent that the present applicant pelted the stones and caused injury to the deceased on his head. Then, the deceased started running from the spot. However, the applicant and co-accused chased him. The present applicant caught the deceased and co-accused assaulted him with knife. Due to the injuries suffered, he died. There is a direct evidence against the applicant. Hence, applicant has no good case for bail.

5. Perused the charge sheet. The arguments advanced by the learned APP reveals that the witnesses are consistent as regards the role attributed to the applicant. The applicant was very well present on the spot of the incident. He is a facilitator to commit the crime. The offence is serious. Hence, the applicant has no case for bail. Therefore, the application stands dismissed.

(S. G. MEHARE, J.)

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vmk/-