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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 585 of 2022

Masood Akhtar Abdul Malik Applicant
V/s
State of Maharashtra Respondent.

Mr. Mahendra Sandhyanshiv for the Applicant.
Ms. PN. Dabholkar, APP for the Respondent/State.

CORAM: NITIN W. SAMBRE, J.

DATE: SEPTEMBER 28, 2022

P.C.:-

1] Applicant is seeking regular bail in C.R. No.26 of 2021 registered with Azad Nagar Police Station, Malegaon, Nashik for the offence punishable under Sections 302, 307, 323, 427, 452, 504, 147, 148, 149 of the Indian Penal Code, under Sections 4/25 of the Arms Act and under Section 37(1)(3)/135 of the Maharashtra Police Act. Applicant was arrested on 02/03/2021 and is charge-sheeted.

2] The case of the prosecution is, deceased was on inimical terms with the Applicant and accordingly Applicant has given stab wounds.

3] Submissions of Counsel for the Applicant are, statement of eye witness who happens to be the sister of the deceased has unable to attribute a specific role to the Applicant in the offence.

4] The cause of death is, bloods loss due to stab injuries. The knife is recovered from the Applicant alongwith other incriminating material i.e. his clothes. As such, there is direct evidence available on record to infer prima facie involvement of the Applicant in the offence. Even if other accused are released on bail, this court is required to be sensitive to the cause of death and weapon used by the Applicant. That being so, no case for bail is made out. Application for bail stands rejected.

5] Application is disposed of.

(NITIN W. SAMBRE, J.)