

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

CRIMINAL BAIL APPLICATION NO.3155 OF 2021

Sagar Raju Chawriya

...Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Satyavrat Joshi i/b Mr.Sunil S. Kamble for the Applicant.

Mr.A.R. Kapadnis, APP for the Respondent-State.

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CORAM : C.V. BHADANG, J.

DATE : 31 MARCH 2022

P.C.

. By this Application, the Applicant is seeking bail in Crime No.8 of 2020 registered with Koregaon Park Police Station, under Section 302, 143, 147, 148, 149, 323, 504 of the Indian Penal Code.

2. The aforesaid Crime is registered on the basis of the complaint lodged on 10 January 2020 by Janabai Shendge, who is mother of deceased Nilesh Shendge. She claims that on 9 January 202 her son Nilesh went out of the house in the noon and did not come back till night. At midnight the neighbour Steven informed her that Nilesh is lying in the square near the Ganesh Temple. Accordingly the informant went there when one Vishal Dodke who is friend of the deceased informed that

about 11.30 p.m. the Applicant and co-accused had assaulted the deceased after an altercation. Nilesh was found laying there in a pool of blood. Nilesh succumbed to the injuries. Insofar as the present Applicant is concerned it was informed that he assaulted the deceased by an iron rod.

3. In this case after investigation a charge-sheet is filed.

4. I have heard learned counsel for the parties. Perused record.

5. It appears that Vishal Dodke who is friend of the deceased is an eye witness to the incident. He has stated about the nature of the assault and states about the assault by the iron rod by the Applicant on the deceased. There is recovery of the iron rod, and blood stained clothes from the Applicant. The Applicant is charged for a capital offence. No case for grant of bail is made out. The Criminal Application stands rejected.

C.V. BHADANG, J.