

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 3331 OF 2021****IN****CRIMINAL APPEAL NO. 1051 OF 2021**

Rakesh Nandkumar Patil And Anr.

... Applicants

V/s.

The State Of Maharashtra

... Respondent

WITH**INTERIM APPLICATION NO. 1326 OF 2022****IN****CRIMINAL APPEAL NO. 424 OF 2022**

Karan Nandakumar Patil And Anr.

... Applicants

V/s.

The State Of Maharashtra

... Respondent

Mr. Irfan A. Shaikh Appointed Advocate for Applicants.

Mr. Ajay Patil APP, for Respondent-State.

**CORAM : A.S. GADKARI AND
MILIND N. JADHAV, JJ.****DATE : 19th SEPTEMBER, 2022.****PC. :**

1. Applicants have filed these Applications for suspension of sentence and releasing them on bail.
2. Heard Mr. Shaikh, learned Advocate appointed to represent Applicants and Mr. Patil, learned APP for Respondent-State. Perused paper book.

3. The name of deceased is Pravin Lokare. The date and time of the incident is 5th May, 2013 at about 10.00 a.m. to 10.30 a.m. (approximately).

It is the prosecution case that, due to earlier enmity between deceased Pravin Lokare and Applicants, on that fateful day, Applicants with common intention assaulted deceased with sword, chopper and knife when the deceased was near the toilet. Arvind Lokare (PW-4), Vasant Sarang (PW-5) and Yenkappa Golhar (PW-7) are the eye witnesses to the present crime. The weapons used in the present crime have been recovered at the instance of Applicants and the said recovery panchanama has been duly proved by the Investigating Officer (PW-33).

4. *Prima-facie* it appears that, there is more than sufficient evidence available on record to show the clear complicity of the Applicants in the present crime. Perusal of evidence further indicates that, the Applicants were indulging in illegal activity in the vicinity and had spread reign of terror therein. After taking into consideration the evidence available on the record we are of the view that, Applicants do not deserve to be released on bail. Both the Applications are accordingly rejected.

5. Record indicates that, Applicants are in jail since 2013.

In view thereof, list both Appeals on final hearing board for the week commencing from 17th October, 2022.

[MILIND N. JADHAV, J.]

[A.S. GADKARI, J.]