

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (BA) NO.877 OF 2022**

Shubham S/o Bhimraoji Jadhav and another .Vs. State of Maharashtra, through  
P.S.O., P.S. Ashti, Dist. Wardha.

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

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Shri H.G. Katekar, Advocate for the applicants.

Shri S.D. Sirpurkar, A.P.P. for the non-applicant/State.

**CORAM : ANIL S. KILOR, J.**

**DATED : 05/09/2022**

1. The applicant is seeking bail in Crime No.27 of 2022, dated 04.02.2022, registered with Police Station Ashti, District: Wardha, for the offences punishable under Sections 302, 201, 120B read with Section 34 of the Indian Penal Code.

2. Shri Katekar, learned counsel for the applicants submits that the whole case is based on circumstantial evidence and there is no direct evidence to connect the applicants with the alleged offence. It is submitted that the applicants is in jail from last six months and as there is nothing against the applicants to connect with the alleged offence, he be released on bail.

3. He lastly submits that the investigation is completed and the charge-sheet has been filed and as such, no further custody of the applicants is necessary.

4. On the other hand, Shri Sirpurkar, learned APP strongly opposes the present application and submits that the applicant No.1 was having illicit relations with the wife of the deceased and with intention to eliminate the deceased, the applicants along with the wife of the deceased committed the alleged offence.

5. It is submitted that CCTV footage and other evidence collected by the Investigating Officer (IO), sufficiently show the involvement of the applicants in the alleged offence. It is submitted that as the offence is serious and as sufficient incriminating material is available on record, this Court may not grant bail to the applicants. Accordingly, he prays for rejection of the present application.

6. I have perused the charge-sheet and the application.

7. From the charge-sheet, *prima facie* it appears that there were illicit relations of applicant No.1 and the wife of the deceased and therefore, with an intention to eliminate the deceased, the applicant No.1 along with the wife of the deceased and applicant No.2 committed the alleged offence. The offence is very serious and considering the material collected by the IO namely, CCTV footage and the statements of witnesses and other material, I am of the

opinion that there is sufficient incriminating material against the applicants.

8. In the circumstances, in view of nature and seriousness of the offence and severity of punishment which conviction will entail, I am not inclined to grant bail to the applicants. Accordingly, I pass the following order:

The criminal application is **rejected**.

[ANIL S. KILOR, J.]