

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

Criminal Application (BA) No. 871 of 2022

Prathamesh Pundlik Rathod **Versus** State of Maharashtra, through PSO,
PS Arni, Tq. Arni, District Yavatmal.

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

Court's or Judge's Order

Shri R.J.Shinde, counsel for the applicant.

Shri Ashirgade, APP for the State / Non-applicant.

CORAM : ANIL S. KILOR, J.

DATED : 17/08/2022

1. The applicant is seeking bail in connection with Crime No. 273 of 2022, registered with Police Station Officer, Police Station, Arni, Tah. Arni, District Yavatmal, for the offences punishable under Sections 307, 302, 34, 504, 506, 143, 148, 149 of Indian Penal Code, 1860 and Sections 4, 25 and 27 of the Arms Act.

2. Shri R.J.Shinde, learned counsel for the applicant submits that, the cause of death is the injury to the chest, which was caused at the instance of co-accused Chandan Soyam and not at the instance of the applicant.

3. He further submits that, the applicant is a student and he is 19 years of old and thus in view of the fact that, the charge-sheet has been filed, he may be released on bail.

4. On the other hand, learned APP strongly opposed the present application and submits that the offence is very serious and considering the nature of allegations and the role attributed to the applicant, this Court may not grant bail to the applicant.

5. I have perused the charge-sheet and the FIR.

6. From the FIR, it can be seen that though the blow by knife was inflicted on the chest of the deceased by the co-accused Chandan Soyam, however, the other accused persons including the applicant caught hold the hands and legs of the applicant, at that time.

7. Thus, considering the evidence collected by the Investigating Officer, injuries mentioned in column No.17 of the Post Mortem Report which are in 10 numbers and further the role attributed to the applicant, I am of the opinion that the applicant is not entitled for grant of bail. Accordingly, I pass the following order:

The criminal application is **rejected**.

[ANIL S. KILOR, J.]