

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.1116 OF 2021

(Anil s/o Amin Bhosale Vs. The State of Maharashtra thr. PSO PS Andhera, Tq.
Chikhli, Dist. Buldhana)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A. J. Thakkar, Advocate for Applicant.
Mrs. K. R. Deshpande, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 22nd DECEMBER, 2021.

DATE OF RESERVING THE ORDER : 30.11.2021

DATE OF PRONOUNCING THE ORDER : 04.01.2022

The applicant is seeking bail in connection with Crime 95/2021 registered with Police Station Andhera, District Buldhana for offences punishable under Sections 302 and 201 of the Indian Penal Code.

2. Dead body of a girl was found in a drain at the Antri Shiwar to Antri Khedekar road. The body which was lying in a pool of blood with multiple injuries was identified by the father Bhimrao Rambhau More, who lodged report on 16.04.2021.

3. The informant stated that on 14.02.2021 his daughter Madhuri left home to report at her duty, she did not return till 08:00 p.m., the informant called her and

Madhuri conveyed that she would be residing at the house of her maternal aunt Manda Khillare. On 15.04.2021 Madhuri left for her work place and again did not return till 08:00 p.m. and when the informant tried to establish telephonic contact, the phone was switched off. Madhuri's mother called her sister Nanda and was told that Madhuri informed Nanda that she would be going to Antri Khedekar. Madhuri's mother was also told that Madhuri had called Lata Gawai at 02:00 p.m. and conveyed that 5 to 6 days earlier, the applicant Anil Bhosale had snatched her mobile and she had lodged a report at the police station, and that Anil was to return her mobile and had called her at Mera Khurd. The prosecution case is that Madhuri also informed Lata that she was threatened by the applicant with dire consequences as Madhuri was in relationship with one Kakde. Madhuri was not seen alive after the said contact.

Prosecution case is that Madhuri was serving in S.T. Department as a Conductor and was in relationship with the applicant for certain period. Madhuri had sought transfer to Buldhana Depot after the relationship ended. The applicant however, continued to harass her and she had also lodged complaint. The informant alleged that it was the applicant who murdered Madhuri.

4. I have scrutinized the material on record, and despite the vehement submission of the learned counsel for the applicant Mr. A.J. Thakkar, I am not inclined to hold that a case for bail is made out. The material on record is

sufficient to hold that there is a strong *prima facie* case. The statements of Arun Kakde and Lata Gawai would be material. I consciously refrain from minutely considering the said statements. The knife which is the alleged weapon of offence is recovered pursuant to the statement of the accused recorded under Section 27 of the Indian Evidence Act. The blood stained shoe of the accused is seized. The cumulative effect of the material on record is that there is a strong *prima facie* case. The autopsy reveals that Madhuri was brutally killed. I find no reason to exercise discretion. The application is dismissed.

JUDGE

NSN