

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

Criminal Application (BA) No. 1068 of 2022

Nitesh Laikdas Meshram

Versus

The State of Maharashtra, through Police Station Officer, Police Station
Gadchiroli, Dist. Gadchiroli

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

Court's or Judge's Order

Shri M.A.Deo, Advocate for the applicant.

Ms. Shamsi Haider, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 1st DECEMBER, 2022.

The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 1052 of 2021 registered with Police Station Gadchiroli, Dist. Gadchiroli for the offence punishable under Sections 302, 380, 120-B, 460 read with Section 34 of Indian Penal Code.

2. Prosecution case is that on 20th December, 2021 the informant Kelsdin Nilkant Janbandhu lodged the report stating therein that on 19th December, 2021 he had gone to attend “Teravi” function of his in-laws and his son namely Subodh was asked to stay at home.

On next day at about 3.30 pm when he returned, he found that his son was lying dead and his hands were tied and blood was oozing from his nose and mouth. There was theft of golden ornaments. Accordingly, the above referred crime was registered.

3. In this case chargesheet has been filed after completion of investigation.

4. The case is based on circumstantial evidence. To connect the applicant with the alleged offence, recovery of ornaments from the applicant, which has been identified is a strong circumstantial evidence and the statement of the parents of the applicant shows that applicant had knowledge that the deceased was alone at home and his parents will not return back home till next day.

5. Thus, *prima facie* there is sufficient material to connect the applicant with the alleged offence. Since the offence is serious and there is every possibility that the applicant may tamper with the prosecution evidence and the witnesses if he is released on bail. Hence, I am not inclined to grant to bail, accordingly, criminal application is rejected.

[ANIL S. KILOR, J.]

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