

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

CRIMINAL APPLICATION (APPA) NO.891 OF 2019
IN CRIMINAL APPEAL NO.669 OF 2019
(Pandhari s/o Shriram Raut vs. The State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri O.W. Gupta, Advocate for applicant/appellant.
Shri S.S. Doifode, Additional Public Prosecutor for
respondent.

CORAM : SUNIL B. SHUKRE AND
G.A. SANAP, JJ.

DATED : JUNE 23, 2022

Heard learned Counsel for the parties.

2) On going through the impugned judgment and record of the case, we are of the opinion that even though this case is based on circumstantial evidence, at this stage it cannot be said even in a prima facie manner that there is a veritable doubt in some of the links, which incriminate the applicant and establish his connection to the homicidal death of Pundalik. Therefore, on this count, we do not think that the applicant will be entitled to be released on bail by suspending his substantive sentence of imprisonment.

3) Shri Gupta, learned Counsel for the

applicant, submits that since son of the applicant, Milind, is in XII Standard, it is necessary that the applicant remains near his son in the house so that Milind would be in a position to complete his XII Standard with excellence.

4) Usually this job is performed by mother and in this case, mother of the boy, i.e. wife of the applicant is very much present in the house. Even otherwise, such ground would not be sufficient for releasing the applicant when at this stage no doubt appears to be arising in the chain of circumstantial evidence proved against the applicant. The application is, therefore, rejected.

5) The final hearing of the appeal is expedited on the agreed condition that the learned Counsel for the applicant/appellant shall supply the paper book within two weeks.

6) Stand over to three weeks.

JUDGE

JUDGE

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