

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

919 BAIL APPLICATION NO.17 OF 2023

DNYANESHWAR PRABHAKAR JADHAV
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Shelke Avishkar S.
APP for Respondent-State : Mr. S. B. Narwade.
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CORAM : S. G. MEHARE, J.
DATE : 07.02.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. It has been alleged against the applicant that he was quarreling with the deceased for the money in the morning and in the evening at 5.00 p.m., he assaulted the deceased with knife over stomach and neck.
3. Learned counsel for the applicant has vehemently argued that the statement of the alleged eye witnesses are not consistent. The applicant is a labourer having family responsibilities. The investigation has been completed. Trial may take its time. He is an innocent. Therefore, he may be granted bail.

4. Learned APP has strongly opposed the application. He would argue that there are eye witnesses to the incident. There is no material inconsistency in the statement of the witnesses. The offence is serious. The applicant was aggressive since morning and committed murder on the public place. Considering the gravity of the offence, he may not be granted bail.

5. There appears no material inconsistency in the statement of the eye witnesses. The applicant committed the murder on the public place. The cause of death is due to assault over the neck and stomach. The allegations are supported with the Post Mortem Report. The applicant was aggressive. The offence is apparently grievous. The evidence against the applicant is cogent and cannot be discarded at this juncture. Hence, the application stands dismissed.

6. Needless to state that the findings recorded in this order are restricted to the present application only.

(S. G. MEHARE, J.)

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vmk/-