

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

943 BAIL APPLICATION NO.613 OF 2023

RAVI BALAJI KAMBLE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Bhagwant Deshpande.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 12.04.2023

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant is seeking bail in Crime No.167 of 2022, registered with Police Station Bhada, District Latur, for the offence punishable under Section 302 of the IPC.
3. Learned counsel for the applicant would submit that there was no premeditation. The incident happened in the hit of anger. There were no eye witnesses to the incident. The weapon has also not recovered from him. He has been falsely implicated in the crime since in the morning there were exchange of hot words between the deceased and the applicant. The applicant is a young boy of 22 years having no antecedents to his discredit. The investigation has been

completed. The trial may take its time to conclude. Hence, he may be granted bail.

4. Per contra, learned APP would argue that there are two eye witnesses to the incident. The applicant came on the spot of the incident with deadly weapon i.e. sickle. He repeatedly assaulted the deceased. The medical evidence also supports the prosecution. The offence is serious. Hence, he may not be granted bail.

5. Perused the charge sheet. There were two eye witnesses to the incident. He was carrying deadly weapon. The applicant went on the spot of the incident with a weapon and assaulted the deceased thrice. The deceased had suffered the injuries and died of the injuries. The medical evidence corroborates the allegations. Considering the conduct of the applicant, it is difficult to accept that the incident happened in the hit of passion and at the spur of moment. The conduct of the applicant shows that he intentionally hit the deceased.

6. Considering the evidence against the applicant and the gravity of the offence, the application stands dismissed.

(S. G. MEHARE, J.)

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vmk/-