

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

BAIL APPLICATION NO.1322 OF 2023

Ravin @ Rabin Dhaneram Baske

...Applicant

VERSUS

The State of Maharashtra

...Respondent

...

Mr. Subhash Amol Gandhi, Advocate for the applicant.

Mr. S.P. Deshmukh, APP for the respondent-State.

...

CORAM : S.G. MEHARE, J.

DATED : AUGUST 18, 2023

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.28 of 2022 registered with Kopergaon City Police Station, District Ahmednagar for the offence punishable under Section 302 of the Indian Penal Code.
3. Learned counsel for the applicant would submit that there was delay in recording the statements of witnesses. The applicant is innocent. The deceased was his cousin and they were working together. Hence on suspicion, he has been arraigned as an accused. The person who noticed the incident first did not raise the suspicion over the applicant. The applicant is a young boy of 18 years having no antecedents to his discredit. He came to Maharashtra for

employment from the State of Jharkhand. The material collected against the applicant is not sufficient to prove his nexus with the crime. He is languishing in jail for more than one and a half year. The trial may take its time. Hence, he may be granted bail.

4. Per contra, the learned APP would submit that there is strong circumstantial evidence against the applicant. The witnesses have categorically deposed that the applicant and deceased were lastly seen together on the spot of incident and suddenly the applicant disappeared and the deceased was found lying dead on the work place. The blood stains were found on the shirt, footwear and ring of the accused. The footwear of the applicant was also lying on the spot of incident. The deceased was killed with a hammer, that was also recovered from the spot of incident. These are the strong circumstantial evidence against the applicant. The offence is grave. Hence, he may not be granted bail.

5. Perused the papers. The submissions of the learned APP are supported with the documents, recovery of clothes, ring and footwear of the applicant. There are witnesses who are consistently stating that the deceased and the applicant were lastly seen together and suddenly the applicant disappeared and the deceased was found lying dead on the spot of incident. *Prima facie*, there is a material to believe that the applicant has a nexus with the crime. The offence is

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obviously grave. Hence, the applicant does not deserve bail. Therefore, the application stands dismissed.

(S.G. MEHARE, J.)

Mujaheed//