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disposal of his aforesaid appeal.

3. The applicant, vide Judgment and Order dated 6th May, 2017, passed by the learned Sessions Judge-4, Nashik, in Sessions Case No. 32 of 2016, has been convicted alongwith co-accused, for the offences punishable under Sections 302 read with 149 of the Indian Penal Code; Section 307 read with 149 of the Indian Penal Code; Section 506(ii) read with 149 of the Indian Penal Code; Section 148 of the Indian Penal Code and is sentenced to suffer different sentences for the said offences. The maximum sentence imposed on the applicant is under Section 302 read with 149 of the Indian Penal Code i.e. to suffer rigorous imprisonment for life.

4. Learned Counsel for the applicant submits that the applicant is in custody since for the last more than eight years and as such, he be enlarged on bail. She further submits that the evidence of the eye-witnesses i.e. P.W.1 – Kiran Surwade and P.W.2 – Suraj Vijay Pagare, suffers from infirmities and as such, cannot be relied upon.

She further submits that even the medical evidence does not inspire the confidence, so as to sustain the conviction of the applicant for the aforesaid offences.

5. Learned APP submits that the evidence on record of the eye-witnesses is duly corroborated by the medical evidence. He submits that the paper-book is ready and that the matter be listed for the final hearing.

6. Admittedly, the paper-book in the aforesaid appeal is ready. When we told learned Counsel for the applicant that we were inclined to fix the aforesaid appeal for the final hearing, she insisted on arguing the application for bail and hence, proceeded to hear the application.

7. Perused the evidence of P.W.1 – Kiran Surwade and P.W.2 – Suraj Pagare. The evidence of both these eye-witnesses reveals the manner in which, the deceased was brutally assaulted and was done to death. The deceased sustained as many as 15 injuries. It is pertinent

to note that P.W.1 – Kiran is not only an eye-witness, but also an injured, who sustained injuries in the incident in question. *Prima facie*, we find that the ocular evidence is duly corroborated with the medical evidence of P.W.4 – Dr. Anand Pawar, the Doctor, who conducted the post mortem on deceased – Yogesh Pawar.

8. Having regard to the fact that the paper-book in the said case is ready, we are inclined to list the matter for final hearing.

9. The application stands rejected. However, hearing of the appeal is expedited.

10. The appeal is listed, at the end of the Admission Board, under the caption 'For Final Hearing' on **18th December, 2023**.

11. All concerned to act on the authenticated copy of this order.

GAURI GODSE, J.

REVATI MOHITE DERE, J.