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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1302 OF 2023

SACHIN ADNYAN CHAVAN	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

**WITH
INTERIM APPLICATION NO.2925 OF 2023
IN
BAIL APPLICATION NO.1302 OF 2023**

VANITA DATTATRAY PATOLE	..APPLICANT
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IN THE MATTER BETWEEN

SACHIN ADNYAN CHAVAN	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

Adv. Umesh Pawar for the applicant.
Adv. Sakshi S. Kadam i/b. Adv. Vikramsingh Parmar for the
intervenor.
Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 23, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant, learned counsel for the intervenor and learned APP for the State.
- 2.** This is an application for bail in respect of the offence punishable under Sections 302, 307, 120-B, 143, 147, 148,

149, 109 of the Indian Penal Code and under Sections 4 and 25 of Arms Act registered vide C.R. No.103 of 2020 with MIDC Kupwad Police Station.

3. The complainant is Shri Chaitanya Sakharam Patole. The complainant is the nephew of the deceased. The deceased was a labour contractor and had employed near about 50 labourers at Sahyadri Starch Company and Nanada Fidding Company. On 10.07.2020 the complainant received a phone call from his friend making an enquiry about his uncle. The complainant came to know that his uncle was murdered at Rohini Cold Storage. The police registered the offence.

4. The applicant is the original accused No.2. The accused Nos.1 and 2 ran away after assaulting the deceased with a weapon-Koyta. Because of head injury and multiple injuries caused by the accused Nos.1 and 2, the victim died. The medical reports indicate that the victim was brutally murdered.

5. Learned counsel for the applicant vehemently urged that there is absolutely no evidence against the applicant to connect him with the offence. According to learned counsel for the applicant the version of the eye witness should not be relied upon. Learned counsel for the applicant submitted that none of the witnesses are supporting the case of the prosecution.

6. I have perused the materials on record with the assistance of learned counsel for the applicant and learned APP. The statement of Shri Amit Balasaheb Shinde is recorded on 12.07.2020 who is an eye witness. He stated that the present applicant along with accused No.1 ran after the victim who was pleading that he be saved. After catching hold of the victim, the applicant and the accused No.1 assaulted the victim on his head and caused multiple injuries on his person, whereafter they ran away. There is CCTV footage of two locations which shows that the applicant is seen assaulting the victim.

7. Considering the gravity of the offence I do not think this is a fit case to release the applicant on bail.

- 8.** The application is rejected.
- 9.** Interim application is also disposed of.

(M. S. KARNIK, J.)