

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

BAIL APPLICATION NO.1565 OF 2023

Nikhil Rajesh Thakur ...Applicant
vs.
State of Maharashtra ...Respondent

**WITH
INTERIM APPLICATION NO.2417 OF 2023
IN
BAIL APPLICATION NO.1565 OF 2023**

Seema Nandkumar Thakur ...Intervenor

In the matter between

Nikhil Rajesh Thakur ...Applicant
vs.
State of Maharashtra ...Respondent

Mr. S. S. Butala for the Applicant in BA No.1565/2023.
Mr. Sandeep Mishra i/b Mr. B. N. Pandey for the Applicant in
Mr. S. R. Agarkar APP for the Respondent-State.

CORAM : S. M. MODAK, J.

DATED : 19TH JULY 2023

P. C. :

1. I have heard learned Advocate for the Applicant, learned Advocate for the first informant and learned APP for the Respondent-State.

2. The deceased and present Applicant are relatives. FIR is lodged by the wife of deceased. No doubt at the time of incident, she was not there. When the phone call of the deceased was not

reachable, she went to spot of the incident. She was compelled to broke open the door. When she went inside, she found the deceased and her sister-in-law Priya, lying there in an injured condition. Her husband-Nandkumar died, whereas Priya was shifted to hospital. Her statement is there.

3. Learned Advocate for the Applicant argued that there is Civil dispute pending. He relied upon the statement of grand-father, who states that the present Applicant sought his help as the deceased and others have entered the room which is spot of incident.

4. Considering role alleged against the applicant, it is claimed that neither he has possessed weapon nor done any overact. His age as 19 years is also put as a factor in his favour. After going through materials, when I made clear that this will too early to consider those grounds in favour of the applicant, learned Advocate for the Applicant sought liberty to withdraw the Application. Hence, the Application is disposed of as withdrawn. The Applicant is granted liberty to file the Application at appropriate stage. Interim Application No.2417 of 2023 is also disposed of.

[S. M. MODAK, J.]