

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2336 OF 2022**

Tejas Devgonda Patil

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Satyavrat Joshi a/w Mr. Nitesh Mohite for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 28 FEBRUARY 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 137 of 2021 registered at Sangli Rural Police Station for the offences punishable under Sections 302 r/w 34 of the Indian Penal Code.

3. According to the prosecution, there was a dispute between the deceased and the present applicant on account of ancestral immovable properties. He, thus, hatched the conspiracy with Juvenile delinquent to commit the murder of the deceased. It is alleged that pursuant to the said conspiracy, on 28 May 2021 at about 3.45 p.m., the present applicant with Juvenile delinquent assaulted the deceased by knife, iron rod, etc. and committed his murder.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

5. The learned counsel for the applicant submits that applicant has nothing to do with the alleged murder. It is submitted that the applicant is involved in alleged crime just because there was dispute between him and the deceased.

6. There is an eye-witness to the alleged incident and the said eye-witness has identified the present applicant in test identification parade. Prima facie, he appears to be independent witness. Considering the nature of offence, I am not inclined to release the applicant on bail. Application is rejected.

(N.R. BORKAR, J.)