

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

**INTERIM APPLICATION NO. 2759 OF 2022
IN
CRIMINAL APPEAL NO. 719 OF 2021**

Basawraj @ Basu Siddhaling Hattarake ...Applicant/Appellant

V/s.

The State Of Maharashtra ...Respondent

Mrs. Nasreen S.K. Ayubi, for Applicant/Appellant.

Mr. Ajay Patil, A.P.P. for the Respondent-State.

**CORAM : A. S. GADKARI AND
PRAKASH D.NAIK, JJ.**

DATE : 14th FEBRUARY, 2023.

P.C.:-

1. This is an Application for suspension of sentence and releasing the Applicant/Appellant on bail.

2. Heard Mrs. Nasreen S.K. Ayubi, learned Advocate appointed to represent Applicant and Mr. Ajay Patil, A.P.P. for the Respondent-State.

Perused the evidence.

3. PW-4 Ragini Yanganti is the eye witness to the present crime. In her deposition she has stated that, on the fateful night at about 2.30 a.m. she woke up due to shouting of her mother. That, the Applicant was sitting with knife near her mother. She inquired with her mother what had happened. At that time, the Applicant threw knife at the scene of offence

and ran away. Her mother told her that, the Applicant stabbed her by knife in her stomach and therefore she was having severe pains and blood was oozing from the said injury. The knife was also stained with blood. PW-4 has deposed that, the Applicant used to visit her house and used to quarrel with her mother over their strained relations. During the course of investigation, the shirt of Applicant was seized by the Police, whereon blood stains of human origin were found.

4. Prima facie it appears that, there is sufficient evidence available on record to show the indictment of Applicant in the present crime.

5. In view of the above, we are not inclined to suspend the sentence and release the applicant on bail pending the present Appeal.

Application is accordingly rejected.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)