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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO.2760 OF 2022
IN
CRIMINAL APPEAL NO. 1185 OF 2022**

Krushna Bhaurao Pawar Applicant
V/s
The State of Maharashtra Respondent.

Ms. Nasreen S.K. Ayubi, appointed Advocate for the Applicant.
Mr. V. B. Konde-Deshmukh, APP for the Respondent/State.

**CORAM: NITIN W. SAMBRE &
S. G. DIGE, JJ.**

DATE: FEBRUARY 22, 2023

P.C.:-

1] Deceased Anusayabai was married to Accused and was blessed with daughter P.W. 3 – Shobha. On the date of incident i.e. on 21/05/2015, deceased alongwith accused went to forest area for fetching fire wood. However, accused returned alone and informed P.W. 3 that deceased is alone in the forest and she should chase her. P.W. 3, after having reached forest, noticed dead body in the pool of blood of deceased Anusayabai and accordingly rushed to P.W. 7 – Yashwant seeking help, who removed Anusayabai to hospital. Deceased was found to be having two injuries in frontal occipital region, which was discovered at the behest of the Applicant/accused under Section 27 of the Evidence Act.

2] The evidence of P.W. 1 - Dnyaneshwar, P.W. 3 – Shobha, P.W. 7 – Yashwant and P.W. 10 – Swapnil in categorical terms implicate the Applicant in the offence in question. There is substantial evidence to connect the Applicant to the crime in question, as incriminating evidence is not explained by the accused as regards discovery, blood stained clothes and last seen.

3] In view of above, there is prima facie case against the Applicant. No case for grant of bail is made out. Application is rejected.

[S. G. DIGE, J.]

[NITIN W. SAMBRE, J.]