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

BAIL APPLICATION NO.3944/2021

SANDIP RAMBAHADUR NISHAD

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Satish B. Patil for the applicant.
Mr. S. V. Gavand, APP for State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 16, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of First Information Report (FIR) No.241/2019 registered with the Ulhasnagar Police Station, under Sections 302, 511 read with 34 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).
- 3.** It is alleged that there are three accused against whom the said offence has been registered. The applicant is the accused no.1. Learned counsel for the applicant submitted that the accused no.2 who is one of the assailant

has been released on bail. The accused no.2 was not named in the FIR. So far as the present applicant is concerned, the eye witnesses state that the applicant is the person who held the deceased by his hands and the applicant's brother Shivam gave knife blows to the deceased.

4. There are as many as three criminal antecedents reported against the present applicant, that of the year 2018 and 2019. One C.R. is under Sections 307, 326, 504 read with 34 of the IPC of the year 2018 and the other two C.Rs. are of the year 2019 under Sections 326, 324, 323, 504, 506 read with 34 of the IPC. The present offence has been committed by the applicant on June 17, 2019 while on bail in the aforesaid C.Rs. The eye witnesses disclosed the presence of the applicant, his role and complicity in the present offence. In this view of the matter, the application is rejected and disposed of accordingly.

(M. S. KARNIK, J.)