



PMB

905.ba.4042-23.doc

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

BAIL APPLICATION NO.4042 OF 2023

AKASH @ AKSHAY VINAYAK LAKHE	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

None for the applicant.
Mr. P. H. Gaikwad, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 20, 2023

P.C. :

1. This is an application for bail in respect of the offence punishable under Section 302 of the Indian Penal Code (hereafter 'IPC' for short) registered on 23.05.2019 vide C.R. No.639 of 2019 with Pimpri Police Station, Pune.

2. The matter is heard in the morning session. On hearing learned counsel for the applicant and learned APP I had kept the matter back to enable learned counsel for the applicant to take instructions whether he would like to withdraw the application as I had expressed disinclination to enlarge the applicant on bail. When the matter was called out in the afternoon session none was present on behalf of

the applicant. The FIR was lodged on 23.05.2019. The applicant was arrested on 23.05.2019. The deceased was the niece of the first informant. Seven years prior to the incident the deceased had married one Arun Kate who committed suicide. It is alleged that the deceased was in a relationship with the applicant. The applicant is a resident of Nashik and he frequently visited Pune to meet the deceased. It is alleged that on 22.05.2019 the deceased was in the company of the applicant. The CCTV footage of the hotel indicates that the deceased and the applicant were seen together prior to the incident. Further, the statement of Mr. Siddharth Subhash Gaikwad who is the friend of the deceased clearly indicates that the applicant and the deceased were together just prior to the incident. The deceased was last seen in the company of the applicant. There is recovery of blood stained clothes at the instance of the applicant. The chain and ring belonging to the present applicant was found near the spot. The medicolegal certificate at page 134 of the application indicates that there were multiple abrasion marks over neck region,

multiple abrasion mark over chest, abrasion over forehead and abrasion mark below left eye. The cause of death is head injury.

3. The applicant was arrested on 23.05.2019. Considering the materials on record I am not inclined to entertain the present application. Furthermore, it is pointed out by learned APP that the applicant while on Covid bail had absconded and had to be rearrested.

4. The application is rejected.

(M. S. KARNIK, J.)