



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1026 OF 2024

Ganesh s/o Pralhad Bhosle .. Applicant

versus

The State of Maharashtra .. Respondent

Mr. N. S. Ghanekar, Advocate for the Applicant.
Mr. S. B. Jadhav, APP for the State.

CORAM : S. G. CHAPALGAONKAR, J.
DATE : 16th AUGUST, 2024.

ORDER :

1. The Applicant seeks regular bail in connection with Crime No. 0355/2022 registered with Pimpalgaon-Hare Police Station, Dist. Jalgaon for the offences punishable under Sections 302, 326, 324, 323, 504 of Indian Penal Code.

2. This is a successive bail application of the Applicant. His previous Bail Application No. 1358/2023 has been rejected by this Court vide order dated 25.08.2023. Thereafter Applicant moved another application before Sessions Court below Exhibit 33 in Sessions Case No. 36/2023 that has been rejected vide order dated 29.05.2024.

3. Learned counsel for the Applicant submits that the present application is moved in view of the change in circumstances. He submits that the significant factual aspects regarding previous dispute were not brought to the notice of this Court when previous bail application was heard by this Court. There was counter complaint of Applicant as regards to incident in question and the same was not placed before this Court.

4. Apparently, such contention cannot be accepted. The earlier bail application was exhaustively argued before this Court. This Court has observed that the victim suffered fatal head injury authored by the Applicant. Post Mortem report depicts death on account of internal bleeding. There are two eye witnesses of the incident. The statements of those witnesses are corroborated by the version given in First Information Report and medical evidence. There is recovery of a wooden log i.e. weapon of offence at the instance of the Applicant. The Applicant is the prime accused in commission of the offence.

5. Taking into account the aforesaid circumstances, it is difficult to accede with the contention of learned counsel for the

Applicant that any material change in the circumstances has been erupted that requires re-consideration of plea of bail at the instance of the Applicant. No case is made out to entertain the Application. Application sans merit, stands rejected.

(S.G. CHAPALGAONKAR)
Judge

dyb