

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

APPLICATION FOR LEAVE TO APPEAL BY STATE NO. 209 OF 2019

The State of Maharashtra

...Applicant

Versus

Kiran @ Kirnya Balasaheb Kamble & Ors.

...Respondents

.....
Mrs. Uma S. Bhosale – APP for Applicant/State
.....

CORAM : R. G. AVACHAT
AND
NEERAJ P. DHOTE, JJ.

DATED : 17TH APRIL, 2024

PER COURT : -

1. This is the Application filed by State seeking leave to file Appeal.
2. Heard Mrs. Uma S. Bhosale, learned Assistant Public Prosecutor for the Applicant/State. None for the Respondents.
3. We have perused the evidence available on record and the observations of the learned trial Court. The case is based on testimony of the eye-witnesses. The learned trial Court has observed that there is inconsistency in the evidence of eye-witnesses regarding the incident. We see arguable points in the Appeal. Hence, we proceed to pass the

following order : -

ORDER

- [i] Leave to file Appeal is allowed.
- [ii] Action under Section 390 of the Code of Criminal Procedure shall follow before the trial Court.
- [iii] Record & Proceedings be called for with Paper-book.

[NEERAJ P. DHOTE]
JUDGE

[R. G. AVACHAT]
JUDGE

SG Punde