

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

CRIMINAL BAIL APPLICATION NO.3667 OF 2023

Ranjeet Mahadeo Sudake

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr. Jaydeep Mane for the Applicant (through VC).

Mr. N. B. Patil, APP for the Respondent/State.

Mr. Y. S. Nawale, HC, Mangalwedha Police Station – present.

CORAM : NITIN W. SAMBRE, J.

DATE : 23rd SEPTEMBER, 2024

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1. The Applicant is seeking regular bail in Crime No.630 of 2021 registered with Mangalwedha Police Station for the offence punishable under Sections 302, 333, 353, 379 r/w 34 of the IPC and Sections 9 and 15 of the Environment Protection Act, 1986 and Sections 3(1)/181, 39/192(1) of the Motor Vehicles Act.

2. The prayer for bail is sought on the following grounds :-

- (i) The identification parade was conducted at belated stage i.e. after two months;
- (ii) The incident narrated in the FIR speaks of only an accident and as such, same can be at the most said to be culpable homicide not amount to murder;

(iii) There are improvements in the FIR through the supplementary statement.

3. As far as the issue of the accident or culpable homicide not amounting to murder is concerned, *prima-facie* reading of the FIR depicts that the Applicant had every intention to murder a police officer, who was discharging his duty.

4. The effect of belated identification parade, in my opinion, cannot be looked into at this stage, as same amounts to appreciating evidence while deciding the bail application.

5. That being so, no case for bail is made out.

6. The Application as such stands rejected.

[NITIN W. SAMBRE, J.]