

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 4307 OF 2023****IN****CRIMINAL APPEAL NO. 1336 OF 2023**

Ajay Vijay Fugare

.....Applicant

Vs.

State Of Maharashtra

.....Respondent

Mr. Pradeep Pardeshi, Advocate appointed for the Applicant.

Mr. S.V. Gavand APP, for the Respondent-State.

**CORAM : A. S. GADKARI AND
SHYAM C. CHANDAK, JJ.****DATE : 29th JANUARY, 2024.****P.C.:-**

1) Record indicates that, the Applicant was earlier convicted under Section 376 of the Indian Penal code and was sentenced to suffer seven years of imprisonment.

2) After his release from jail, he has committed present offence i.e. murder of his father. The motive propounded by the prosecution is dispute over the property and for not bringing his wife back to matrimonial house by his family members.

- 3) On the date of alleged incident, Applicant had initially abused his father and thereafter gave three blows of axe on his head resulting into instantaneous death of his father. There are three eye witnesses and their testimonies *Prima facie* appears to be reliable.
- 4) In view of the above, we are not inclined to release the Applicant on bail during the pendency of present Appeal.
- 5) Application is accordingly dismissed.

(SHYAM C. CHANDAK, J.)

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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