



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

**BAIL APPLICATION NO.240 OF 2024**

|                              |              |
|------------------------------|--------------|
| HEMANT @PAPPU SURESH KALBHOR | ..APPLICANT  |
| VS                           |              |
| STATE OF MAHARASHTRA         | ..RESPONDENT |

Mr. Amit Icham, for the applicant.  
Mr. S. A. Karmakar, APP for the State.

**CORAM : M. S. KARNIK, J.**

**DATE : MARCH 11, 2024**

**P.C. :**

1. Heard learned counsel for the applicant and learned APP for the State.
2. This is an application for bail in respect of the offence punishable under sections 302, 506 read with 34 of the Indian Penal Code registered on 11/03/2021 vide C.R. No.67 of 2021 with Jejuri Police Station.
3. There are in all 2 accused. The applicant is the accused no.2. The applicant was arrested on 12/03/2021. The prosecution case in brief is that the deceased had threatened the accused that he will damage the JCB machine. The accused therefore followed the deceased.

The applicant pushed the moving motorcycle carrying the deceased as a result of which the motorcycle and the deceased fell down. The applicant with an iron rod inflicted blows on the head of the deceased. The assault was on the vital part of the body. The cause of death is fatal head injury. There is an eyewitness to the incident. There is recovery of the weapon at the instance of the applicant. Learned counsel for the applicant submitted that the applicant is in custody since 12/03/2021 almost for a period of 3 years. In the facts and circumstances of the present case, considering the nature of the injury sustained, gravity of the assault on the vital part and the fact that there is eyewitness to the incident, dissuades me from enlarging the applicant on bail.

4. The bail application is rejected. Liberty to apply after some time if the trial does not progress substantially.

**(M. S. KARNIK, J.)**