

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.3295 OF 2023

Santosh Krushna Khair .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Prakash N. Wagh for the Applicant.

Mrs.K.T.Hiwrale, A.P.P. for the State/Respondent.

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CORAM: BHARATI DANGRE, J.
DATED : 24th APRIL, 2024

P.C:-

1. Heard the learned counsel for the Applicant/Accused No.2, who is alleged to have stabbed the deceased Vinod, resulting in his death.

The material in the charge-sheet clearly refer to his role, as an assailant.

2. The informant has categorically reported that when he alongwith his friend Vinod came at China Express Hotel and parked their two wheelers, the owner of the hotel got annoyed and some quibble occurred. The Applicant, a worker in the hotel, on hearing the noise, came with a knife and being mistaken that his employer is being assaulted, stabbed deceased Vinod with his knife, resulting into bleeding injuries.

The postmortem report clearly reveal that after a gap of nine days, the injured succumbed to the injury and the cause of death has been opined as, *'Septicaemia due to perforation peritonitis in an operated case of intestinal perforation caused due to stab injury to abdomen'*.

3. Considering the role attributed to the present Applicant and, since, he is facing the charge of murder, merely because he has no criminal antecedents and he has been incarcerated for last four years, is not a sufficient ground to secure his release.

However, considering the long period of incarceration, the Sessions Judge trying him is requested to expedite the Sessions Case.

4. The Application stands dismissed.

(SMT. BHARATI DANGRE, J.)