

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1127 OF 2024

Prakash Bhagwat Shinde	...	Applicant.
V/s.		
The State of Maharashtra	...	Respondent.

Ms Sana Raees Khan, Advocate for Applicant

Shri Shreeram S. Chaudhari, APP for the State.

Bhabad Vikhach, Bharti Vidyapeeth Police Station, Pune City.

CORAM : ANIL S. KILOR, J.

DATED : AUGUST 29, 2024.

PC:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.767 of 2021, registered with Bharti Vidyapeeth Police Station, Pune City for the offences punishable under Sections 302, 201 read with Section 34 of the Indian Penal Code and Sections 4/25 of the Indian Arms Act, 1959 Sections 37(1) and 135 of the Maharashtra Police Act, 1951.

3. Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, it is evident that there is sufficient incriminating evidence available on record to show the *prima-facie* involvement of the applicant in the alleged offence, namely CCTV footage.
4. In the circumstances, though the learned counsel for the applicant argues that no Test Identification (TI) Parade was conducted, at this stage the said submission is not sufficient for grant of bail, in view of the CCTV footage. The weapon was recovered at the instance of the applicant, which according to the applicant, such recovery cannot be relied upon as it was recovered from open space.
5. The said submission is also not sufficient for grant of bail considering the seriousness of the offence, more particularly, 35 injuries were found on the person of the deceased.
6. In the circumstances, since the offence is very serious and the *prima facie* involvement of the applicant in the alleged offence is apparent, I am not inclined to grant bail. Accordingly, the Criminal Bail Application is **rejected**.

(ANIL S. KILOR, J)