

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2675 OF 2024

Ajay Shinde, Age 24 years,
R/o.Village Suseri no.2, Tal.Khed,
Dist.Ratnagiri.
(Presently in Ratnagiri Special Prison)

Applicant

versus

The State of Maharashtra

Respondent

Mr.Kunal Shinde, Advocate for Applicant.
Mr.PH.Gaikwad, APP, for State.

CORAM : ANIL S.KILOR, J.

DATE : 21st August 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.477 of 2021 registered with Khed Police Station, District Ratnagiri, for the offences punishable under Sections 302, 397, 201, 120(B), 34 of the Indian Penal Code.
3. Learned counsel for Applicant submits that there are discrepancies in the first statement and second statement given to police. Furthermore even if recovery panchanama is considered there are discrepancies. Applicant is in jail from last three years and out of four accused two are released on bail. It is further argued that, since the charge sheet is filed, the Applicant may be released on bail.

4. Learned APP is strongly opposing the application for grant of bail.

5. I have perused the charge sheet and material collected by the Investigating Officer during investigation. There is sufficient incriminating material collected by Investigating Officer to show the complicity of the Applicant in the present offence. Applicant has shown the spot of incident and body of deceased. Even the weapon was recovered at the instance of Applicant. Even sniffer dog indicated involvement of the Applicant in the present case.

6. As far as discrepancies are concerned it is matter of trial. The offence is very serious and looking at the role attributed to the Applicant and the incriminating material collected by the Investigating Officer during investigation, I do not find present case as a fit case for grant of bail. Accordingly it is rejected.

(ANIL S.KILOR, J.)

MST