

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

**INTERIM APPLICATION NO. 4814 OF 2024  
IN  
CRIMINAL APPEAL NO. 792 OF 2021**

Ganesh Vitthal Bhangare. ... Applicant.  
V/s.  
The State of Maharashtra. ... Respondent.

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Mr.Chetan S. Damre for the Applicant.  
Ms.Madhavi H. Mhatre, A.P.P. for the Respondent- State.

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**CORAM : A. S. GADKARI AND  
RANJITSINHA RAJA BHONSALE, JJ.**  
**DATE : 10<sup>th</sup> OCTOBER 2025.**

**PC.:-**

- 1) This is an Application for suspension of sentence and for releasing the Applicant on bail.
- 2) Heard Mr.Damre, learned Advocate for the Petitioner and learned A.P.P. Perused entire record.
- 3) PW Nos.1, 6, 12 and 14 are the eye witnesses to the ghastly attack on the deceased Ganesh Savant by the Appellant/Applicant and other co-accused. The ocular evidence on record discloses that, it is the Applicant who gave a blow with knife on the chest of deceased Ganesh. In the said attack the blade of the knife was broken and the blade remained inside the chest of the deceased and the handle of it fallen apart. The said

handle was recovered from the scene of offence itself. Though the deceased suffered in all 9 injuries in the said attack by the accused, the blow inflicted by the Applicant held to be fatal by the Medical Officer, PW No.20. The Medical Officer has deposed that the injury was perforating one, due to the said injury the lung of the deceased was perforated and the crack of the said injury was admeasuring 14.4 cms.

4) Mr.Damre, learned Advocate for the Applicant submitted that, the version of eye witnesses namely PW Nos.1, 6, 12 and 14 is contradicted by PW No.10. He submitted that, in the testimony of PW No.10 several discrepancies are noticed and therefore the benefit of the same be given to the Applicant.

5) It is the settled position of law that at this stage we cannot re-appreciate the entire evidence on record. Perusal of the testimony of witnesses *prima facie* indicates a strong case against the Applicant. As noted earlier, it is the Applicant who gave fatal blow on the deceased. The motive behind the present crime also revolves around the Applicant.

6) In view thereof, we are not inclined to entertain the Application and release the Applicant on bail.

7) Application is rejected.

**(RANJITSINHA RAJA BHONSALE, J.)**

**(A.S. GADKARI, J.)**