



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.161 OF 2025

(Siddharth Ananda Wakode (In Jail) Vs. State of Maharashtra thr. PSO Police Station
Hiwarkhed, Tq. Telhara, Dist. Akola)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A. S. Londhe, Advocate for Applicant.
Mr. C. A. Lokhande, APP for Non-Applicant/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 24th APRIL, 2025.

1. Heard.
2. The applicant came to be arrested on 18.02.2024 in connection with Crime No.23/2024 registered with Police Station Hiwarkhed, Taluka Telhara, District Akola for the offences punishable under Sections 302, 143, 145, 147, 148, 149 and 324 of the Indian Penal Code.
3. The crime is registered on the basis of the report lodged by Anil Tayade on an allegation that on 16.02.2024 when they received phone call that Devanand is attacked by the present applicant and the other co-accused and assaulted by means of sticks and wooden rafter. In the said incident, the deceased has sustained the grievous injuries and was lying in a pool of blood and thereafter succumbed to the death. On the basis of the said report, police have registered the crime against the present applicant.

4. Heard learned counsel for the applicant, who submitted his written submissions which shows that the as per the investigation papers the applicant is behind bar since the date of arrest and there is no possibility of disposal of the case in the near future. Moreover, there is general allegation against all the accused. Considering, now investigation is completed and charge-sheet is filed. He be released on bail.

5. Learned APP strongly opposed for the same and submitted that there is a direct evidence of two eye witnesses as well as the death of the deceased is due to head injury on a trifle reasons. The deceased was assaulted by the present applicant and the other co-accused. In all 12 injuries are found on the person of the deceased. The death of the deceased is due to head injury. For all above reasons, the application deserves to be rejected.

6. After hearing both the sides and on perusal of the investigation papers it reveals that there is a direct evidence against the present applicant in the nature of eye witnesses. The stick is also recovered at the instance of the present applicant. The deceased has sustained 12 injuries and the death of the deceased is due to head injury. Thus, considering there is a direct material against to connect the present applicant with the alleged offence. *Prima facie* case made out. In view of that, the application deserves to be rejected. Accordingly, I proceed to pass

following order:

The application is rejected.

(URMILA JOSHI-PHALKE, J.)