



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

CRIMINAL APPLICATION (BA) NO.288 OF 2025

(Shakti Suresh Tekam Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.W. Kolhe, Advocate for the applicant.
Mr. V.A. Thakare, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 24, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 11/12/2022 in connection with Crime No.500/2022 registered with Police Station Rajura, District Chandrapur for the offence punishable under Sections 302 of the Indian Penal Code, Sections 4/25 of the Arms Act and Sections 37 and 135 of the Maharashtra Police Act.

2. The crime is registered on the basis of report lodged by Umesh Parshuram Tekam on an allegation that on 11/12/2022 at about 9.00 PM when he was standing in front of shop of one Sandip Meshram at that time, his brother Nagesh Tekam was also standing there. At the relevant time, present applicant came there, pick up the knife from his waist and gave a blow by that knife on the abdomen of the deceased due to which deceased has sustained the grievous injuries and succumbed to the death. On the basis of the said report, police have registered the crime.

3. Learned Counsel for the applicant submitted that the applicant is arrested on 11/12/2022, no much progress is in the trial. The right of the speedy trial is affected, and therefore, the applicant be released on bail. He submitted that the witnesses which are coming forward are also the interested witnesses and the involvement of the present applicant itself is doubtful.

4. Learned APP strongly opposed the application and invited my attention towards the recitals of the FIR as well as the statements of the eye-witnesses, which shows the involvement of the present applicant. There is direct as well as circumstantial evidence to connect the present applicant. He also invited my attention towards the postmortem report and submitted that the stab injuries is on the abdominal portion and the nature of the injury is such that the part of mesentry was seen to be protruding from his abdominal portion and the force also can be ascertained from the internal injuries. The applicant came at the spot with preparation by holding the knife along with him and death of the deceased is due to stab injury. Now trial is already commenced, two witnesses are already examined, therefore, the application deserves to be rejected.

5. I have heard learned Counsel for both the sides. Perused the investigation papers from which it reveals that the direct evidence as well as the circumstantial evidence shows the involvement of the

present applicant in the alleged incident. The pre-mediation and the force used shows the intention of the present applicant at the time of the incident. The eye-witnesses shows the involvement of the present applicant in the alleged incident. As far as the right of speedy trial is concerned the charges are already framed, two witnesses are already examined by the prosecutions, thus, trial is commenced. Considering all these aspects, the application deserves to be rejected.

6. Hence, the application is rejected accordingly.

(URMILA JOSHI-PHALKE, J.)

**Divya*