

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL APPLICATION NO.1791 OF 2005

Ramesh Narayan Kadam ... Applicant

versus

State of Maharashtra ... Respondent

...

Mr.A. B. Bhoir, for the Applicant.

Mr.K.V. Saste, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

31st March 2005

P.C.:

. Heard Counsel for the parties. Perused the record. I see no reason to depart from the conclusion reached by the lower Court in rejecting the bail application preferred by the Applicant.

. To get over this position, learned Counsel for the Applicant vehemently argued that

in the present case, no witness has been examined who would depose that he has seen the Applicant assaulting the deceased or the fact that the Applicant was handed over to the concerned police station after being accosted by the public. The argument seems to be attractive. The learned A.P.P. submits that it is a matter of record that no witness was willing to come forward to depose. That possibility cannot be ruled out. Even if no witness has come forward to speak about the actual incident, or, the fact that the Applicant was accosted by public and handed over to police, there are strong circumstances to connect the Applicant with the commission of the crime. First, there is motive because the deceased refused to marry the Applicant. Secondly, the Applicant was shown arrested wearing blood stained clothes. Thirdly, recovery of blood stained knife and the fact that the same was purchased from Mangilal Purohit, whose statement is already recorded and is part of the record. Fourthly, the post mortem report indicates that the deceased died due to stab wounds. All these circumstances, being strong circumstances to indicate the complicity of the

Applicant, not a case for bail. Hence, rejected.

. As prayer for bail is rejected, the trial Court is directed to expedite the hearing of the case as High Court Expedited Case.

(A.M.KHANWILKAR,J.)