

Anand

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

BAIL APPLICATION NO.1305 OF 2013

Eknath Sukarya Pawar .Applicant

V/s.

The State of Maharashtra .Respondent

Mr.P.L.Sapkale & Mr.Hemant Sapkale, Advocate,
for the Applicant

Mrs.G.P.Mulyekar, APP, for the Respondent -
State

Mr.V.V.Gangurde and Mr.S.B.Patil, Advocate, for
the Original Complainant

CORAM : U.V.BAKRE, J.

DATE : 30TH SEPTEMBER, 2013

P.C.

. Heard the learned counsel for the
applicant, the learned APP for the respondent
- State and the learned counsel for the
Original Complainant.

2. The applicant who has been arrested on
21st October, 2013 in C.R.No.I-185 of 2012
registered with Kalyan Taluka Police Station
for the offence punishable under Section 302
of the Indian Penal Code has filed the present

application for bail. On 6th October, 2012, the deceased Navnath Pawar was found hanging to the grill of the roof of the primary school. As per the post mortem examination report, the cause of death is Asphyxia due to strangulation. I have seen photographs of the deceased now shown to me by the learned APP. It is seen that there are injury marks on the neck. There is a ground to say that the deceased was first strangulated and then was hanged to the grill.

3. It is seen from the records that Kalpana, wife of the first informant namely Padmakar Pawar was told by Yashoda Pawar that on 6th October, 2011 at about 7:30 p.m. the applicant and deceased were fighting. There is one statement on record of Sandeep Avadhut Bhagat, who saw the applicant running behind the deceased in order to kill him. On the next day the dead body of the deceased was found. It is seen from the record that the applicant had threatened the deceased one day

prior to the incident.

4. It is true that charge sheet has already been filed. However, considering that there is a strong circumstantial evidence against the applicant, I am of the view that the applicant should not be released on bail at this stage.

5. Hence, the Bail Application stands rejected. It is expected that the learned Sessions Judge shall expedite the trial.

(U.V.BAKRE, J.)