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

CRIMINAL BAIL APPLICATION NO. 680 OF 2015

Sanjay Birajdar Patil

... Applicant

VERSUS

The State of Maharashtra

... Respondent

...

Mr Ashok Kumar Dubey, Advocate for the applicant

Mr S. H. Yadav, APP for respondent/State

...

CORAM : **V. L. ACHLIYA, J.**

DATE : 30th June, 2015.

Per Court:

. Heard learned Counsel appearing on behalf of the respective parties.

2. By this application, the applicant seeks bail in C. R. No. I-73 of 2013 registered with Tokavade Police Station, for offence punishable under Sections 302, 201 read with 34 of the Indian Penal Code, mainly on the ground that, there is no evidence to connect the applicant with the commission of offence. It is the contention of the learned Counsel for the applicant that, the entire case of the prosecution is based upon the circumstantial evidence. There are no circumstances which remotely connect the applicant with the

commission of offence. Learned Counsel for the applicant submits that, as per DNA report received in the matter, there is no circumstance as such to connect the applicant with commission of offence for which the accused has been arrested.

3. Learned APP has opposed the application with contention that, this is the third application filed by the applicant after filing of the charge-sheet. There are no change in circumstances to entertain the application. The trial of the case has already begun. The case is now listed for recording of the evidence. He, therefore, submits that the application be rejected.

4. Having regard to the submissions advanced and perused order dated 3rd December, 2014 passed in Criminal Bail Application No. 2082 of 2014 and order dated 12th December, 2014 passed in Criminal Bail Application No. 2083 of 2014, I am of the view that, no change in circumstances made out so as to entertain the present application. The applicant is facing the trial for serious offence punishable under Sections 302, 201 read with 34 of the Indian Penal Code. The charge is already framed in the matter and the case is now listed for recording of evidence. In view of this, it is not desirable at

this stage to make any observation as regards merits of the matter. I am, therefore, not inclined to entertain the application. The application is rejected.

5. Learned Judge of the trial Court is directed to dispose of the case as expeditiously as possible preferably within a period of six months from the date of this order.

[V. L. ACHLIYA, J.]