

MHND010027422021



ORDER BELOW EXH. 05
State Vs Gurumukhsingh & Ors.

1. Perused the application and say of learned APP at Exh.10. Heard both sides.

2. The informant Premsingh Ramgadiya lodged report with police station, Mudkhed that on 07.07.2021 he was sitting in his chicken shop and at that time the accused Gurumukhsingh along with the applicant came to his shop and demanded half K.G. chicken. When the informant demanded cash mount the accused Gurumukhsingh started quarrel and he along with the applicant beat the informant. The informant narrated said incident to his mother and the accused Gurumukhsingh assaulted by sword to his mother and she sustained bleeding injury on her left hand. Thereafter, father of the informant chased accused Gurumukhsingh and the applicant and the accused Gurumukhsingh along with applicant assaulted his father. On 8.7.2021 dead body of his father was found. Accordingly, the offence punishable under Section 302, 324, 323 and 504 read with Section 34 of Indian Penal Code and under Section 4/25 of Arms Act were registered vide Crime No. 123/2021. The applicant contended that he has not beat the father of the informant. He is innocent. Investigation is completed. He is in jail since 14.7.2021. There is no direct evidence against the applicant. He having immovable property. He is ready to abide by the to abide by terms and conditions of the bail. Hence, he may be released on bail.

3. The learned APP submits that the applicant has committed serious offence of murder. There is statements of the witnesses showing involvement of the applicant in the offence. Hence, application may be rejected.

4. On perusal of case record it is found that the applicant has committed very serious offence of murder along with co-accused Gurumukhsingh. The informant has actually seen him with the co-accused assaulting his father. Thus there is direct evidence showing involvement of the applicant in the offence of murder. The trial is going to commence and in such circumstances there is possibility that the applicant may hamper and tamper the evidence, if released on bail. There is also possibility that he will pressurize the witnesses and flee from justice. Hence, he is not entitled for bail. In the result, I pass the following order.

ORDER

1. Application at is hereby rejected.

(K.N.Gautam)

Date : 29-01-2022.

Additional Sessions Judge-1,Nanded.

