

MHRG010013232024



**Order below Exh.7 in Session Case No.32/2024**

(State Vs. Chandrajit & Ors.).

**Introduction :-**

The accused No.2 namely **Harishankar Lalchand Rajbhar**, has moved an application for the grant of regular bail in connection with the case of the alleged murder of Dharmendra Kumar Kushwah, who was found strangled to death in Savli Lodge on 30-01-2024. The accused has been charged under section 302 r/w.34 of the Indian Penal Code.

**Factual Background :-**

The prosecution contends that the accused, Chandrajit Rajbhar had threatened to deceased with dire consequences before occurrence of the evidence. The informant was present at that time. It is alleged that the accused in- furtherance of their common intention beat the deceased in Savli lodge R/No.115 and eliminating. The accused Chandrajit committed murder of the deceased with the help of this applicant.

**Submissions of the Learned Counsel for the Accused :-**

The learned counsel for the accused has argued that there is no direct evidence against him, thereby entitling his to regular bail. The counsel further submits that the accused has no previous criminal record.

**Submissions of the Learned Public Prosecutor :-**

The learned D.G.P has opposed the grant of bail, submitting that the case is of a grave nature. The prosecution has highlighted the presence of strong circumstantial evidence, including

1. Statements of witnesses suggesting presence of accused and deceased in the room immediately before the commission of the crime.
2. P.M. report supporting the theory of cut throat injury.
3. Incriminating statements made by the accused during interrogation.
4. No plausible explanation for the deaths other than the involvement of the accused.

**Analysis of the Case :-**

The court finds that the case is indeed one of a serious nature, where the alleged murders is not only gruesome but involve the killing of young deceased. The prosecution has provided strong circumstantial evidence to establish the accused's involvement.

The court notes that though there is no direct eyewitnesses, the circumstantial evidence is compelling enough to deny bail at this stage. The accused's release on bail at this juncture could potentially hamper the investigation and obstruct justice.

**Conclusion :-**

In view of the gravity of the charges, the serious nature of the crime, and the strong circumstantial evidence pointing to the involvement of the accused, this court is of the opinion that the application for regular bail must be rejected.

**ORDER**

1. The application is rejected.
2. This order be intimated to the Jail authority forthwith.

Alibag,  
Date:- 03/12/2024.

(S.D.Bhagat)  
Additional Sessions Judge,  
Raigad-Alibag.

**CERTIFICATE**

I affirm that the contents of the PDF file Judgment are same word for word as per original Judgment.

Name of Steno	-	Sau.Manisha Sudhir Kadave Stenographer Grade-I
Name of Court	-	Shri. S.D.Bhagat, Additional Sessions Judge, Raigad-Alibag
Date of Order	-	03/12/2024.
Order signed by PO on	-	03/12/2024.
Order uploaded on	-	/12/2024.

(Sau.Manisha Sudhir Kadave)  
Stenographer Grade-I