

Sessions Case No. 49/2018

Order Passed Below Exh.6

1. The application is received through Talaja Jail through Chief Judicial Magistrate First Class, Raigad-Alibag for interim bail.
2. The accused Saurabh Harishchandra Sawant is facing trial for the offence punishable u/s.302 of I.P.C. vide C.R.No.43/2018 of Mangaon Police Station.
3. One Dinesh Dilip Adit lodged the complaint with the contention that he runs a chicken shop at Mangaon. Saurabh Harishchandra Sawant, Vishal Shripat Jumare, Nilesh Jumare are friends. Vishal Jumare was in love with Pranali Harishchandra Sawant the sister of Saurabh. Therefore the Saurabh was not in talking terms with Vishal. On 11/08/2018 at about 9.30 p.m. the complainant was sitting in Nirankar Hall. Vishal came there. After some time Saurabh came there. Thereafter Saurabh started assaulting Vishal and took him by the side, took out the knife from his pant and assaulted with the knife in his chest. Thereafter he ran away. Therefore complaint was came to be lodged.
4. Heard Ld. A.P.P. for state Mr.Tendulkar. Perused the say filed by the Ld. A.P.P. below Exh.7. He has opposed the bail application with the contention that the offence is of serious nature.

There is direct evidence against the applicant accused. If the applicant is released on bail he may tamper with the prosecution evidence.

5. Perused the complaint as well as the statement of Nilesh Gajanan Jumare. It shows that he is eye witness to the incident. The cause of death certificate shows death due to hemorrhage and shock due to stab injury to the heart. The memorandum panchanama dated 15/08/2018 shows that the knife used in the commission of the offence is attached at his instance. Thus it shows that there is strong prima facie case against the accused for the offence charged.

6. It is seen that, the age of the applicant accused is about 22 years. As such in my opinion the case of the applicant accused does not fall under Clause 6 of High Power Committee report dated 10/05/2020. Even he has not placed anything on record to show that applicant accused is suffering from any ailment. Under such circumstances in my opinion the application is devoid of any merit. Thus, I pass following order.

:: ORDER ::

1. Application stands rejected.

Mangaon.
Dt.: 18/06/2020

Sd/-
(T. M. Jahagirdar)
Additional Sessions Judge, Mangaon,
District Raigad.