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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.119 OF 2015
IN
CRIMINAL APPEAL NO.361 OF 2013

Hiraman Rama Bhoye	... Appellant
V/s.	
The State of Maharashtra	 Respondent

Mrs. Sarojini Upadhyay, appointed advocate for the Applicant.
Mr. H. J. Dedhia, A.P.P., for the Respondent-State.

CORAM : P.V.HARDAS &
DR. SHALINI PHANSALKAR-JOSHI, J.J.

DATE : 11TH FEBRUARY, 2015.

P.C. :

1. By this application, the applicant prays that the counsel from the Legal Aid Panel be appointed to represent him in the pending appeal and also prays that he be released on bail.
2. We have heard learned counsel appointed on behalf of the applicant in this application and learned APP. The prosecution has mainly relied upon the testimony of two eye witnesses to the incident and has also relied on the circumstance that the axe was discovered by the applicant. In the light of overwhelming evidence against applicant, we are

not inclined to suspend the substantive sentence of imprisonment and to release him on bail.

3. We partly allow this application and direct that the counsel from the legal Aid Panel be appointed to represent the applicant in the pending appeal. This be done within three weeks from today. We also expedite the hearing of the appeal.

4. The prayer in respect of bail is refused.

5. Application is partly allowed as indicated above.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[P.V.HARDAS, J.]