

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2942 OF 2016
IN
CRIMINAL APEAL NO. 348 OF 2016

Ravindra S/o Anna Domale .. Applicant

Versus

The State of Maharashtra .. Respondent

.....
Mr R. S. Deshmukh, Advocate for the applicants
Mr R. B. Bagul, APP for respondent/State
.....

**CORAM : A.V.NIRGUDE &
V.L. ACHLIYA, JJ.
DATED : 11.08.2016.**

PER COURT :

. Heard learned counsel for the applicant and learned APP for State.

2. In nutshell, the contention of the learned counsel for the applicant is that, entire case of the prosecution is based upon circumstantial evidence. According to him, there are no circumstances

brought on record sufficient to establish that the accused has committed the offence in question. The appellant has good case to succeed in appeal. It will take long time to hear the appeal. Hence, he urged to release the applicant on bail.

3. Learned APP appearing for the State vehemently contended that, the prosecution has proved its case through circumstantial evidence. Prosecution has adduced cogent and convincing evidence to prove the guilt against the accused. The chain of circumstances as brought on record rules out the possibility of the crime in question was committed by any person other than accused.

4. We have perused the judgment and order as well as depositions of the witnesses examined by the prosecution. The conviction of the accused is based upon the circumstantial evidence. There are number of circumstances relied upon by the prosecution to establish the case of the prosecution. Since the appeal is pending, it is not desirable on our part to make any observations as to the merit of the case. However, taking into consideration the over all circumstances brought on record, we are of the view that, no case is made out to

entertain the request of the applicant that pending disposal of appeal to release him on bail. We, therefore, pass the following order.

ORDER

- (i) Criminal Application No. 2942 of 2016 is rejected.
- (ii) Hearing of the appeal is expedited.
- (iii) The mode of preparation of paper book be expedited and it be ensured that paper book be prepared within eight weeks.

[V. L. ACHLIYA]
JUDGE

[A. V. NIRGUDE]
JUDGE