

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 1020 OF 2015
IN
CRIMINAL APPEAL NO. 544 OF 2014**

Ramesh Waman Bodke

..Applicant/
Appellant

Versus

The State of Maharashtra

...Respondent

Ms. Padma V. Tatode, advocate for the applicant.

Mr. J. P. Yagnik, APP for the State.

**CORAM : RANJIT MORE,
DR. SHALINI PHANSALKAR-
JOSHI, JJ.**

DATE : 17th NOVEMBER, 2016.

P. C. :

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

2. The application is filed seeking bail during the pendency of the above appeal. Learned counsel for the applicant took us through the deposition of PW-4, PW-5 and PW-13 and pointed some of the contradictions. She submitted that the deceased was assaulted by accused No.1 with the help of sickle and, therefore, the present

applicant who is accused No.2 had no role in the said crime and, therefore, deserves to be enlarged on bail during the pendency of the appeal.

3. We have gone through the deposition of PW-4 and PW-5 who are the eye-witnesses and PW-13- who is the investigating officer. Their depositions do show the involvement of accused No.1 and the present applicant in the crime. At the stage of bail, the contradictions in the deposition of these witnesses cannot be given much weightage. The submissions are in the nature of re-appreciation of evidence which can be done at the time of final hearing of the appeal. We are, therefore, not inclined to entertain this application and the same is, accordingly, dismissed.

(DR. SHALINI PHANSALKAR-JOSHI)

[RANJIT MORE, J.]