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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.84 OF 2016
IN
CRIMINAL APPEAL NO.42 OF 2016

Amol Arjun Khalage	 Applicant
V/s.	
The State of Maharashtra	 Respondent

Mr. Mohan V. Khatavkar, for the Applicant.
Mr. J. P. Yagnik, APP for the Respondent State.

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

DATE : 25th JANUARY, 2017.

P.C. :

1. Heard Mr. Khatavkar, learned counsel for the applicant and Mr. Yagnik, learned APP appearing on behalf of the State.
2. The application is filed for bail during pendency of appeal. Mr. Khatavkar, learned counsel submitted that the applicant alongwith six others were charged for various offences including offence punishable Section 302 of the Indian Penal Code. Out of them, four including applicant were convicted for offence punishable under Section 302 read with 34 of the Indian Penal Code and sentenced to suffer life imprisonment. He also submitted that during pendency of the trial,

applicant was on bail and there is no evidence that he misused the bail and therefore, the applicant be released on bail during pendency of this appeal.

3. Application is, however, opposed by learned APP by submitting that there is enough evidence against the applicant.

4. We have perused the impugned judgment and order as well as deposition of witnesses. P.W. 1. Narsing Chavan stated that the applicant alongwith other three assaulted deceased Siddiqui Arkate with the help of sword and stick. The applicant was identified by this witness during test identification parade. The medical evidence supports the evidence of this witness. We are, therefore, not inclined to release the applicant on bail. The application, therefore, stands rejected.

[DR. SHALINI PHANSALKAR JOSHI, J.]

[RANJIT MORE,J.]