

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.843 OF 2016
IN
CRIMINAL APPEAL NO.470 OF 2016

Nishant Nandu Kamble & Ors. ... Applicants
Vs.
State of Maharashtra,
Through Radhanagari Police Station,
District Kolhapur. ... Respondent

Mr. D.V. Sutar for the Applicants.

Mrs. M.M. Deshmukh, A.P.P., for the Respondent-State.

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

DATE : 24TH JANUARY 2017.

P.C. :

1. Heard learned counsel for the Applicants and learned A.P.P. for the Respondent-State.
2. This is an application filed for bail during the pendency of Criminal Appeal No.470 of 2016. Mr. Sutar, learned counsel for the Applicants, submits that the applicants were on bail during trial and, therefore, they deserve to be released on bail during the pendency of Criminal Appeal No.470 of 2016.

3. This Bail Application is, however, vehemently opposed by Mrs. Deshmukh, learned A.P.P. for the Respondent-State.

4. We have gone through the Bail Application and annexures thereto. As regards the evidence of PW-1 Mahipati Kamble, First Informant, and PW-5 Sadashiv Kamble, an eye-witness to the incident, as also the evidence of the Medical Officers, namely, PW-6 Dr. Dattatray Ghodke and PW-7 Dr. Virendra Pawar is concerned, evidence of these witnesses proves involvement of the present Applicants in the crime alleged against them. We, therefore, do not inclined to grant prayer of the applicants.

5. Criminal Application is rejected.

[DR. SHALINI PHANSALKAR-JOSHI, J.]

[RANJIT MORE, J.]