

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO. 1340 OF 2018****IN****CRIMINAL APPEAL NO. 34 OF 2019**

Tamanna Maruti Ghagbude

.....Applicant

Vs.

The State of Maharashtra

....Respondent.

Mr. Manoj A. Patil for the Applicant.

Ms. M.H. Mhatre, APP for the Respondent-State.

CORAM : A. S. OKA, AND**A. S. GADKARI, JJ.****DATE : 25th FEBRUARY, 2019.****P.C.:-**

Heard the learned counsel appearing for the Applicant in support of this Application for bail.

2 Applicant has been convicted for the offence punishable under Section 302 of the Indian Penal Code. The case is based on circumstantial evidence. The learned Trial Judge has held that all the circumstances forming a part of the chain have been duly proved by the prosecution. Apart from this, the Trial Court has believed the testimony of P.W. No. 2 Gopal who stated that the Applicant made extra-judicial confession of the commission of crime before him. After

having perused deposition of P.W. No. 2 at this stage, *prima facie*, we find nothing wrong if his testimony was believed by the Trial Court. His testimony is also brings on record the motive of the offence.

3 There is *prima facie* evidence to show complicity of the Applicant. The Applicant has undergone sentence for about 3 ½ years.

4 No case is made out to release the Applicant on bail. Accordingly, the Application is rejected.

(A.S. GADKARI, J.)

(A.S. OKA, J.)