

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL APPLICATION NO.1452 OF 2018

IN

CRIMINAL APPEAL NO.717 OF 2017

Raju Peter Layal and Anr. ... Applicants

Vs

The State of Maharashtra ... Respondents

...

Mr. Satyavrat Joshi for the Applicants.

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

**CORAM : B.P.DHARMADHIKARI &
SANDEEP K. SHINDE JJ.**

DATE : AUGUST 20, 2019

P.C. :

Accused/applicants seek bail. They have already put in about 8 and half years in jail.

2 We have heard the learned counsel for the applicants and the learned APP for the State.

3 Though there may be some doubt about P.W.3-Mother and P.W.14-Brother being eye witnesses, P.W.8 ,who happened to be colleague employee of the deceased Tanmay working with him

appears to have immediately come out of working place and witnessed the incident. Not only this after witnessing the incident, he also rushed to the residence of Tanmay to inform the family about it. House of Tanmay is at walking distance of 2-3 minutes. When he reached there , he found that P.W.3 and P.W.14 have already left the residence and were coming towards the spot.

4 Prosecution has also placed on record recoveries under Section 27 and axe and chopper have been discovered at the instance of the accused persons. These weapons are found to contain blood of group 'A', which is blood group of deceased Tanmay. Their clothes are also found to be stained with human blood.

5 In the situation, we are not inclined to release the applicants on bail. Application is rejected.

6 However, considering the period spent by the applicants

in jail, we expedite the hearing of the appeal and direct its placing on board as per its serial number.

(SANDEEP K. SHINDE, J.)

(B.P.DHARMADHIKARI, J.)