

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPLICATION NO.1033 OF 2015
IN
CRIMINAL APPLICATION NO.348 OF 2015
IN
CRIMINAL APPEAL NO.231 OF 2015**

Ashok Krishnath Gotane
versus
The State of Maharashtra

..Applicant.

..Respondent.

.....
Mr. Jaydeep D. Mane for the Applicant.
Mr. H.J. Dedhia, Addl.P.P. for the State.

.....
**CORAM : SMT V.K. TAHILRAMANI &
A.S. GADKARI, JJ.**

3rd September, 2015.

P.C. :

Heard both the sides.

2. By the judgment and order dated 20th January, 2015 passed by the learned Sessions Judge, Solapur in Sessions Case No.107 of 2013, the Applicant - original accused No.5 has been convicted mainly under Section 302 read with Section 149 of the Indian Penal Code. Being aggrieved by the said judgment and order, the Applicant preferred appeal bearing Criminal Appeal No.231 of 2015. The Applicant also preferred Criminal Application No.348 of 2015 for bail. However, as the learned

advocate for the Applicant was not present when the Bail Application was called out, the Bail Application was dismissed for default on 27th July, 2015.

3. Now learned counsel for the Applicant is seeking recall of the order dated 27th July, 2015 and restoration of the said Criminal Application No.348 of 2015 to file. The learned APP has no objection for the same. In this view of the matter, the order dated 27th July, 2015 is recalled and Criminal Application No.348 of 2015 is restored to file.

The Application is allowed in above terms.

Criminal Application No.348 of 2015 be put up for admission on 8th September, 2015.

(A.S. Gadkari, J.)

(Smt. V.K. Tahilramani, J.)