

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE – CRIMINAL
BAIL APPLICATION NO. 159 of 2015

Mohammad Jamirullah Khan ... Applicant
Vs.
The State of Maharashtra ... Respondent

Mr. Sayed Zia Amir Mohiddin for the applicant
Mrs. G.P Mulekar, APP for the Respondent -State.
Mr. Sunil Salvi, PI, Byculla Police Station, present.

CORAM: P.D. KODE, J.

DATED: JANUARY 23, 2015.

PC:

1. Learned counsel for the Applicant has submitted that the applicant's application for bail was rejected by the Court of Sessions on 29.12.2014, though after filing of charge-sheet, while arguing said application, the Applicant was not having benefit of material in the charge-sheet. It is submitted that hence the Applicant may be permitted to renew the prayer for bail before the Court of Sessions and the Sessions Court be directed to decide said application on its own merits and uninfluenced by the earlier order of rejection.

2. In said premises, the application is disposed of as withdrawn with liberty to the applicant to renew the prayer for bail before the Court of Sessions. In the event of such an application being preferred, the Sessions Court having due regard to the fact that while

passing the order of rejection on earlier occasion the applicant not having benefit of the material in the charge-sheet, shall decide it on its own merit, uninfluenced by the earlier order of rejection.

3. Liberty to the applicant to give notice to the prosecution for production of EPR mentioned in the charge-sheet.

(P.D. KODE, J.)