

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE
CRIMINAL APPLICATION NO. 490 OF 2015
IN
CRIMINAL APPEAL NO. 1415 OF 2011

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Ms. Sarojini Upadhyay, Advocate Appointed for applicant.
Smt. V. R. Bhosale, APP for State.

CORAM : P. V. HARDAS AND
DR. SHALINI PHANSALKAR-JOSHI, JJ.

DATE : APRIL 29, 2015.

P.C.:

This application has been sent by the applicant from jail, praying for his release on conditional bail in order to attend to the ailment of his daughter.

We have heard Ms. Sarojini Upadhyay, learned counsel appointed for the applicant and the learned APP. The grounds on which the conditional bail is sought cannot be considered to be valid grounds for grant of conditional bail in the present case. It, however, appears that the applicant had filed application i.e. Criminal Application No. 1366 of 2011, praying for his release on

bail, pending the decision of the appeal. When the aforesaid application came up for hearing before the court on 22/12/2011, the learned counsel for the applicant did not press for the relief prayed for in that application as the court was inclined to expedite the the hearing of the appeal. The said application, therefore, was disposed of as not pressed with liberty to the applicant of filing an application afresh, if the appeal is not heard within a reasonable time.

As pointed out by us above, no case is made out for releasing the applicant on conditional bail. The applicant has been convicted for an offence punishable under Sections 498-A and 302 of the IPC. The present application is, therefore, dismissed.

Since the paper book has been received and the hearing of the appeal has been expedited and since we are hearing appeals of the year 2011, we direct that the appeal filed by the applicant be added to the final hearing board at its appropriate place on the board from 8/6/2015.

Application is accordingly dismissed with the aforesaid directions.

(DR.SHALINI PHANSALKAR-JOSHI, J.) (P.V. HARDAS, J.)