

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

**CRI. WRIT PETITION NO. 4709 OF 2014**

Shri Mujeebkhan Farooqui

... Petitioner.  
(Org.Accused)

V/s.

Bhandari Co-operative Bank Ltd., & Anr.

... Respondents.

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Ms. Sartaj Shaikh, Advocate for the Petitioner.

Mr. Ajay Patil, APP for the State.

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**CORAM : M.L.TAHALIYANI,J.**

**DATE : 23 JANUARY, 2015**

**P.C. :**

1            Heard   learned   Advocate   Ms.Sartaj   Shaikh  
appearing for the Petitioner and the learned additional public  
prosecutor for the State.

2            This writ petition challenges the order   passed by  
the additional Sessions Judge, rejecting   the bail application on  
the ground that the application for condonation of delay   in  
filing   of the appeal was pending.   Learned Additional Sessions  
Judge   observed that the   bail could not have been granted at  
that stage.

3            It is submitted by Ms. Sartaj Shaikh, Advocate for  
the Petitioner, that the   delay has now been condoned and the

appeal is likely to come up for admission. In view thereof, the appropriate course open to the petitioner is to file a fresh bail application which can be considered by the learned additional Sessions Judge, as delay in filing the appeal has been condoned.

4 Present writ petition stands disposed of with liberty to the petitioner to file a fresh bail application before the learned additional Sessions Judge. Such bail application shall be decided on or before 29<sup>th</sup> January, 2015.

5 Order accordingly.

(JUDGE)

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