

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL BAIL APPLICATION NO.2632 OF 2014

Shri. Kiran Suresh Koli ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

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Mr.Ajit J. Kenjale, Advocate for the Applicant.

Mrs.A.S.Pai, APP for the Respondent/State.

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CORAM : ABHAY M. THIPSAY J.

DATED : 20TH JANUARY, 2015

P.C.

1. Heard.

2. Report is received from the Medical Superintendent, J.J.Group of Hospitals. One of the grounds on which the bail is sought is that, after the rejection of the applicant's application for bail, co-accused in this case – Wilson Pinto – whose role is similar to that of the present applicant, has been released on bail by the Court of Sessions. If that is so, it would be proper to permit the applicant to seek bail from the trial Court on the ground of parity. The learned counsel for the applicant states that, in addition he would seek bail on medical ground also. Needless to say that, he shall be at liberty to do so.

3. The application is allowed to be withdrawn and stands dismissed as such, with liberty to applicant to make an application for bail before the trial Court and to urge whatever grounds as would be available to him, in support thereof. It is made clear that, such an application, if made by the applicant, shall be considered by the trial Court on merits, without being influenced by the fact that the applicant's previous application for bail has been rejected by this Court.

(ABHAY M. THIPSAY J.)