IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (APPLN) NO.121/2014

Subhash s/o Jagannath Reche
...Versus...
State of Maharashtra, through Police Station Officer, Police Station, Anjangaon Surji, District Amravati and others

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

Shri Manoj P. Kariya, Advocate for applicant
Shri A.K. Bangadkar, APP for respondent no.1
Shri Hitesh Biherani, Advocate for respondent nos.2 and 3

CORAM : A.B. CHAUDHARI, J.
DATE : 29.06.2015

Heard the learned Counsel for the rival parties.

The applicant is a victim, who has applied for setting aside the order dated 8.11.2014 made by the Additional Sessions Judge – 2, Achalpur on the ground that the said order is illegal and contrary to the ratio laid down by the Hon'ble Supreme Court in the case of ***Kanwar Singh Meena...Versus...State of Rajasthan and another***, reported in ***AIR 2013 Supreme Court 296***.

Upon hearing the learned Counsel for the rival parties, indeed, the impugned order shows no reasons for making an order of grant of bail, but then the said order is in operation since 8.11.2014 and the Counsel for the respondents has informed that now the charge-sheet has been filed against the accused persons. It appears that the learned trial Judge did not advert to the aforesaid decision of the Hon'ble Supreme Court.

Be that as it may, since the charge-sheet has been filed now and the final report is available, I think the following order would subserve the interest of justice.

ORDER

Criminal Application No.121/2014 is partly allowed. The impugned order is set aside. However, the accused shall be continued to be at liberty for a period of four weeks from today on the bail that was granted to them.

The learned trial Judge shall reconsider the application for grant of bail filed by the accused on the basis of charge-sheet and in the light of the principles and the material in the charge-sheet and shall also hear the applicant/victim so also the Public Prosecutor.

The parties to appear before the Additional Sessions Judge – 2, Achalpur on 13.07.2015, who shall decide the application as expeditiously as possible.

Hamdast allowed.

JUDGE

Wadkar