

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3668 OF 2016

IN

CRIMINAL APPEAL NO. 793 OF 2003

**[Dilip s/o Sandipan Patil and anr. vs The State of
Maharashtra]**

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

Court's or Judge's orders

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Shri D.P.Munde, advocate h/f
Shri V.D.Salunke, advocate for the
applicants/appellants
Shri P.S.Patil, A.P.P. for respondent

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CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 7th JULY, 2016

PER COURT :

On 31.3.2016, this Court
(Coram : A.I.S.Cheema, J.) had issued
bailable warrant against the present
applicants. Bailable warrant was
executed against appellant no.2.
Applicant no.1/Appellant no.1 was not
traced. This Court had issued non-
bailable warrant against applicant

no.1.

2. By this application, applicant seeks recalling of the said order. Applicant no.1/appellant no.1 is present before the Court.

3. Learned counsel for the applicant submits that it shall be taken into consideration that the presence of the applicant before this Court would be deemed custody. The learned counsel further submits that on the next date he would argue the appeal on merits and keep the appellant/applicant present in the Court at the time of final hearing.

4. Taking into consideration the submissions advanced, this Court is inclined to recall the order, dated 16.6.2016. The applicant shall appear before the Sessions Court at Osmanabad on 13.7.2016 and shall furnish bail bonds. Same bail fresh bond. The applicant shall also give an undertaking that the applicant would remain present before this Court on

the next date of hearing. Hence the following order.

5. The applicant shall appear before the Sessions Court at Osmanabad on 13.7.2016 and furnish bail bonds. Upon failure to appear before the Sessions Court on 13.7.2016, the learned Sessions Judge shall issue non-bailable warrant against the applicant no.1 calling upon him to serve the rest of the sentence. The execution of the non-bailable warrant issued by this Court is stayed till 13.7.2016.

6. Parties to act upon the authenticated copy of this order.

(SMT. SADHANA S. JADHAV, J.)

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