

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 102 OF 2016

Mr. Kiran Hari Bhai Tandel
@ Dharmesh Prakash Rasal

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Anjan Kumar Singh i/b V. V. Tarepatil Advocate for Applicant.
Ms. S. S. Kaushik APP for the State.
Mr. Prasad Satam, P.I. G.C. II, E.O.W. Mumbai

CORAM : A. S. GADKARI, J.
DATED : 24th OCTOBER, 2016.

PC :

1) This is a third application for bail by the applicant. The first application for bail was rejected by this Court (Coram: Shri. A. M. Thipsay, J.) holding that there exist a strong *prima facie* case against the applicant and that there were some other cases also pending against him. The second application bearing Criminal Application No. 1012 of 2015 was also turned down by this Court vide order dated 07/08/2015 with liberty to the applicant to apply afresh for bail in the event that the trial not concluding before 31st December 2015.

ism

- 2) The learned counsel for the applicant submitted that as a matter of fact, except framing of charge, the trial in the present crime i.e. in Sessions Case No. 803 of 2014 did not progress. He therefore, prayed that the applicant may be released on bail.
- 3) The record reveals that while rejecting the bail application no. 1012 of 2015, applicant was granted liberty to apply afresh for bail in the eventuality of trial not concluding before 31st December 2015. According to him, the said liberty is granted to the applicant to file fresh application for bail before the Trial Court so that at the first instance, applicant will get an opportunity to canvas the various issues involved in the application before it.
- 4) In view of the above and in view of the liberty granted by this court vide order dated 07/08/2015, applicant is granted liberty to file fresh application for bail before the Trial Court.
- 5) Application is disposed of with the aforestated liberty.

(A. S. GADKARI, J.)