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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.390 OF 2016
IN
CRIMINAL APPEAL NO.771 OF 2010**

Gopinath Vitthal Sabale

..Applicant.

V/s.

State of Maharashtra

..Respondent.

Mr.V.R.Garad for the applicant.

Mr.J.P.Yagnik, APP for respondent-State.

**CORAM : NARESH H.PATIL AND
A.M.BADAR, JJ.**

DATED : 13TH APRIL, 2016

P.C. :-

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is the third bail application filed by the applicant whose appeal against the judgment of conviction and sentence is pending before this Court.

3. Counsel appearing for the applicant submits that as the appeal was not heard, the applicant be released on bail.

We have perused the order in the earlier bail application No. 1295 of 2011 and No.1229 of 2013 passed by the Division Bench of this Court dated 3rd February, 2011 and 26th September, 2013. While rejecting the application, the Division Bench by an order 3rd February, 2011 discussed the merits. We have perused the observations made by the Division Bench in para 2 of the said order.

4. On merits, we do not find it to be a fit case to release the applicant on bail. At present, appeals of the year 2002 and 2005 are listed for hearing. The application is rejected.

(A.M.BADAR, J.)

(NARESH H.PATIL, J.)