

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.719 OF 2016
IN
CRIMINAL APPEAL NO.956 OF 2005

Kasam Alisha Shaikh ... Applicant

Vs.

The State of Maharashtra ... Respondent

Ms.Rohini Dandekar, Advocate appointed for the Applicant

Mr.H.J. Dedia, APP, for Respondent - State

**CORAM: SMT. V.K. TAHILRAMANI &
MRS.MRIDULA BHATKAR, JJ.**

DATE: OCTOBER 4, 2016

P.C.:

1. Heard both sides.
2. The applicant has preferred this application through jail. The applicant has prayed for bail or early hearing of his appeal i.e., Criminal Appeal No.956 of 2005. The said case is under sections 302, 326, 324 r/w 34 of the Indian Penal Code. The applicant was granted bail by this Court by order dated 20.4.2006. The said bail was cancelled by this Court on 9.4.2002 as, after the applicant was released on bail, he committed three offences. The first offence is

C.R. No.32 of 2007 of Vadgaon-Maval police station; the second offence is C.R. No.42 of 2007 of Lonavla (Rural) police station and the third offence is of C.R. No.87 of 2008 of Lonavala City police station. The learned APP submitted that looking to the past history of the applicant, it is apprehended that if the applicant is released on bail, he will again indulge in offences.

3. We cannot say that the above apprehension is unfounded. Looking to the facts of this case, we are not inclined to grant bail. However, looking to the fact that the appeal is of the year 2005 and the applicant is in jail, we place the appeal on the final hearing board in the week commencing from 24.10.2016.

4. The application is disposed of in the above terms.

5. Office to communicate this order to the applicant who is in Kolhapur Central Prison, Kalamba.

(MRIDULA BHATKAR, J.)

(V.K. TAHILRAMANI, J.)