

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION No. 372 OF 2014

Dasharath Bhosale ... Applicant
Vs.
The State of Maharashtra & Anr. ... Respondents

Mr. M.V. Thorat, Advocate for the Applicant.
Mr. S.H. Yadav, APP for Respondent – State.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 23rd February, 2017.

P.C.:

This Application is moved by the original complainant in C.R. No. 161 of 2013 registered at Pandharpur Naka Police Station for the offences punishable under sections 307, 302, 504, 506 of Indian Penal Code. By this Application, the applicant prays that the order dated 1st July, 2014 passed by the learned Additional Sessions Judge, Pandharpur of granting bail to respondent/accused Dattatray Kamble in the said C.R. be set aside.

2. The learned counsel for the applicant has submitted that this is not the case where the bail should have been granted. The applicant himself is an eye-witness. He further submitted that the first Bail Application filed by the respondent/accused after charge sheet was

rejected by the Sessions Court. Then he filed Application for bail before the High Court but he withdrew that Application and then filed second Bail Application before the Sessions Court by suppressing the fact that his first Bail Application was rejected by the Sessions Court. The learned counsel further submitted that today charge is framed against the respondent/accused, however, he has suppressed the fact and therefore the order of bail is to be cancelled.

3. Perused the order of the bail dated 1st July, 2014. It appears from the order that either the fact that it was a second bail application was not pointed out to the learned Judge and without taking it into the account, she has allowed the Bail Application. Be that as it may, today the charge is framed, the bail was granted on 1st July, 2014, it won't be judicious to cancel the bail of the respondent/accused at this stage and hence the learned trial Judge is directed to proceed with the matter and complete the trial on or before 31st July, 2017.

4. With this, Application is disposed of.

(MRIDULA BHATKAR, J.)