

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 405 OF 2018

Vitthalrao Lalasaheb Mane-	}	
Deshmukh and Anr.	}	Appellants
versus		
The State of Maharashtra	}	
and Ors.	}	Respondents

Mr. Rahul S. Kate i/b. Mr. Vaibhav Jathar
for the appellants.

Ms. M. H. Mhatre-APP for State.

CORAM :- S. C. DHARMADHIKARI &
PRAKASH. D. NAIK, JJ.

DATED :- APRIL 23, 2018

P.C. :-

1. Appellant nos. 1 and 2 are senior citizens. Appellant no. 2 is a lady.

2. After expressing our *prima facie* opinion that we are not inclined to grant the anticipatory bail, on instructions, Mr. Kate learned advocate appearing for the appellants makes a statement that the appellants would surrender before the concerned investigating officer on 2nd May, 2018. In the event they surrender and thereafter seek regular bail, we have no doubt in our mind that considering their age and particularly that the

appellant no. 2 is a woman accused, the concerned Criminal Court will pass an appropriate order so as to balance both, the presumption of innocence insofar as the appellants are concerned and their availability for the trial of the case. The trial court shall also expedite the trial and endeavor to conclude it earlier.

3. With the aforesaid directions, the appeal is disposed of.

(PRAKASH.D.NAIK, J.)

(S.C.DHARMADHIKARI, J.)