

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2132 OF 2018

1. Abhay Tanaji Kurle, Age 36 years,
Occ.Agriculturist,
2. Yogesh Balkrushna Kurle, Age 25 years,
Occ.Agriculturist,
3. Pankaj Balkrushna Ghagas, Age 28 years,
4. Sanjay Laxman Kurle, Age 38 years,
All r/o.At Post Mhasa, Tal.Murbad,
District Thane
(Presently lodged at Kalyan District Prison). Applicants
versus
The State of Maharashtra Respondent

WITH
CRIMINAL APPLICATION NO.1221 OF 2018

Dashrath Shivram Pashte, Age 50 years,
At Post Mhasa, Tal.Murbad, Dist.Thane. Intervenor

In the matter between :
Abhay Tanaji Kurle and others Applicants
versus
The State of Maharashtra Respondent

Mr.Aniket Nikam I/by Aashish Satpute for applicants in Bail Application.
Mr.S.R.Agarkar, APP, for State.
Mr.Shivraj Kunchge for intervenor.
Mr.Kharmate, API, Murbad Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 3rd December 2018

PC :

1. The applicant nos.3 and 4 had preferred this application for bail before this Court directly without taking recourse to the

application for bail before the Sessions Court. Learned counsel for applicants, on instructions, seeks leave to withdraw the application for bail as far as applicant nos.3 and 4 are concerned, with liberty to file application for bail before the Sessions Court. Leave granted. This bail application is dismissed as withdrawn as against applicant nos.3 and 4 with liberty as prayed for.

2. As far as applicant nos.1 and 2 are concerned, it is submitted that they are in custody from 27th May2018. On instructions it is submitted that the application preferred at the instance of applicant nos.1 and 2 may be allowed to be withdrawn with liberty to prefer fresh application for bail before the Trial Court in the event trial does not get concluded within stipulated time.

3. Accordingly applicant nos.1 and 2 are allowed to withdraw this application with liberty to file fresh application for bail before Trial Court in the event trial is not concluded within nine months from the date of receipt of this order. Criminal Bail Application No.2132 of 2018 stands dismissed as withdrawn. In view of dismissal of bail application, Criminal Application No.1221 of 2018 does not survive and stands disposed off as such.

(PRAKASH D. NAIK, J.)

MST