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IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CRIMINAL APPLICATION (APPA) NO. 17/2017
IN
CRIMINAL APPEAL NO.2017

(The State of Maharashtra vs. Santosh Dhanraj Kaithwas and others)

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Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 of directions and Registrar's orders

Court's or Judge's order

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Mr. Sanjay Doiphode, Additional Public Prosecutor applicant/ appellant
 Mr. Rahul Nikare, Adv.h/for Mr. Mir Nagman Ali, Adv. for Res.Nos.,2,3,4 &5

CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.
DATED : 9th March, 2018.

Since we *prima facie* find that the reasons recorded by the trial Court for disbelieving the testimony of the eye-witness do not appear to be reasonable and correct, leave is granted to the applicant-State to file the Appeal.

The prayer made in the Application is partly granted.
 Criminal Application stands disposed of.

CRIMINAL APPEAL:

Admit.

Call for the record and proceedings.

Appropriate steps under the provisions of Section 390 of the Code of Criminal Procedure should be initiated.

Learned counsel, Shri Mir Nagman Ali, waives notice of hearing on behalf of the respondents 2,3,4 and 5.

JUDGE

JUDGE