

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 656 OF 2019

Shivanand Ramchandra Tengale	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Priyal G. Sarda for the Applicant.
Mr. S.H. Yadav, A.P.P. for the Respondent – State.

CORAM : P.N. DESHMUKH, J.

DATED : 26th MARCH, 2019.

P.C. :

1 Not on board, taken on board as mentioned by learned Counsel for the applicant.

2 By taking this application on board it is pointed out that in order dated 15.03.2019 it is mentioned that applicant was earlier released on bail on merits and is arrested in execution of NBW, which statement is incorrect as applicant was never arrested earlier and as such there is no question of his release on bail.

3 It is submitted that on filing of charge-sheet as name of applicant is shown as absconding accused, NBW is issued against him and he apprehends his arrest. In that view of the matter, sentence beginning from **“Considering above facts and law, as applicant was earlier**

released on bail on merits but was taken in custody in execution of NBW” as appears on second page of order dated 15.03.2019, be struck out from original order as well as from the order uploaded on the server. Similarly, date mentioned as ‘30.01.2019’ in second line in paragraph 3 be corrected as ‘**30.01.2018**’.

4 Learned Counsel for applicant further submits that he be granted time to appear before the trial Court and get the NBW cancelled as the time extended till 25.03.2019 has expired, and he could not comply with same since order was not uploaded.

5 In the circumstances, operation of NBW issued against applicant which is stayed till 25.03.2019 is further extended till 01.04.2019.

(P.N. DESHMUKH, J.)