

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

**CRIMINAL APPLICATION NO.335 OF 2019
IN
CRIMINAL APPEAL (ST) NO.319 OF 2019**

Nareshkumar Vishnu Sahu

...Applicant

vs.

The State of Maharashtra

...Respondent

Mr.Rajesh Dharap, Legal Aid Advocate for the Applicant.

Mrs. M.H. Mhatre, APP for the Respondent.

**CORAM : B. P. DHARMADHIKARI &
P. D. NAIK, JJ.**

DATE :12/03/2019.

P.C.:

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. Convict in jail seeks condonation of delay of 38 days in filing the appeal under section 374(2) Cr.P.C. Learned counsel pointed out that the convict is in prison and therefore could not take necessary steps. Learned APP is seeking time to verify.

2. As the convict is in prison, we do not see any malafide hence delay is condoned. The appeal be registered

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3. Today, by separate order passed in Criminal Application No.335/2019, we have condoned delay.

4. After the appeal is registered, we admit it for final hearing. Learned APP waives service of notice for respondent.

(P.D. NAIK, J.)

(B. P. DHARMADHIKARI, J.)