

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1532 OF 2018
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.613 OF 2017

Yogesh Vasantrai Rawal	Applicant
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL APPLICATION NO.1530 OF 2018
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.614 OF 2017

Rajesh Jadhavbhai Patel and others	Applicants
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL APPLICATION NO.1531 OF 2018
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.614 OF 2017

Rajesh Jadhavbhai Patel and others	Applicants
versus	
The State of Maharashtra	Respondent

WITH
CRIMINAL APPLICATION NO.1533 OF 2018
IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.613 OF 2017

Yogesh Vasantrai Rawal	Applicant
versus	
The State of Maharashtra	Respondent

Mr.K.Solanki for applicants.
Mrs.G.P.Mulekar, APP, for State.

CORAM : PRAKASH D. NAIK, J.
DATE : 6th February 2019

PC :

1. For the reasons stated in the applications, delay is condoned and Criminal Application Nos.1531 of 2018 and 1533 of 2018 are allowed and stand disposed off.
2. Criminal Application Nos.1532 of 2018 and 1530 of 2018 are for restoration of Criminal Anticipatory Bail Application Nos.613 of 2017 and 614 of 2017 respectively. On 11th April 2017 this Court had directed the applicant to annex copy of FIR within one week. It was further observed that failure to carry out amendment within stipulated time would result in dismissal of the applications without further reference to the Court. The amendment as stipulated in the said order was not carried out and hence conditional order came into operation resulting in dismissal of the anticipatory bail applications for want of prosecution.
3. Learned counsel for applicant submits that there was communication gap between the advocate representing the applicants and the applicants and the fact of dismissal was not intimated to them. In view of the aforesaid circumstances, Criminal Application Nos.1532 of 2018 and 1530 of 2018 are allowed and Criminal Anticipatory Bail Application Nos.613 of 2017 and 614 of 2017 are restored to file. The applicants are directed to carry out the amendment by annexing copy of FIR within one week. The copies of amended anticipatory bail applications be served on the office of Public Prosecutors within ten days from today.

(PRAKASH D. NAIK, J.)

MST