

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO. 1106 OF 2020

(Bablu @ Ayyaz Ahmad Khan Pathan **Vrs.** State of Maharashtra, thr. P.S.O., P.S.
Wadgaon Road, Yavatmal)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.N. Ali, Adv. for the applicant.
Shri S.A. Ashirgade, APP for the non-applicant / State.

CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 07, 2020.

Heard.

After hearing sometime, when the Court expressed its view, not to grant bail, for the reasons that the earlier bail application was withdrawn as this Court was not inclined to pass any favourable order.

Learned Counsel for the applicant submits that the change in circumstance thereafter is lapse of period of 10 months and the trial has not been commenced and the applicant is behind bar since around three years.

Learned counsel for the applicant, on instructions, seeks leave to withdraw the same with liberty to move afresh before this Court, if within six months there is no effective hearing (i.e. framing of charge, evidence etc.) commenced in the trial before the trial Court. However, it is made clear that the applicant / accused person shall not be at fault in delaying the trial

for any reason whatsoever.

Leave as prayed for is granted with liberty as above.

The criminal application is disposed of as withdrawn accordingly.

JUDGE

D.S. Baldwa