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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.572 OF 2020

Mr. Shashikant Jagannath Jadhav & Ors.] Applicants.
V/s.
The State of Maharashtra] Respondent

Mr.Shashikant Chaudhari i/b Kishori Tribhuvan for Applicants.
Mrs.P.P. Shinde, APP for State.

CORAM : N.R.BORKAR, J.

DATE : 1st JANUARY, 2021.
(Vacation Court)

P.C.

1] Heard learned counsel for parties.

2] This application under Section 482 of the Cr.P.C. takes an exception to the order dated 5th December, 2020, passed by Additional Sessions Judge, Satara below Exhibit 1 in Criminal Bail Application No.313/2020 By the order impugned the Additional Sessions Judge rejected the Anticipatory Bail Application filed by the present applicants for want of of prosecution.

3] Learned counsel for Applicants submits that the Advocate who was appearing before the Sessions Court on behalf of the applicants was tested Covid Positive and therefore could not attend the Court, on assigned date. In support of submission a medical certificate to that effect is produced on record. .

4] Considering the facts and circumstances, it would be appropriate to set aside the impugned order. In the result, I pass the following order :

- a] Application is allowed.
- b] Order impugned dated 5th December, 2020 is set aside.
- c] Criminal Bail Application No.313/2020 is restored to the file of concerned Additional Sessions Judge.
- d] Applicants shall appear before the concerned Court on 11th January, 2021 and shall not seek any adjournment.

[N.R.BORKAR, J]