

JPP

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

INTERIM APPLICATION NO. 1017 OF 2021

in

CRIMINAL APPEAL (St.) NO. 5429 OF 2021

Manbahadur Shankarbahadur Thapa
@ Arun Arta Parveen @ Nilmani Arta
Bishwas @ Babuli @ Nilmani Arta Biswal ... Applicant/Appellant

V/s.

The State of Maharashtra ... Respondent

Mr. Sachin B. Chandan for the Applicant/Appellant
Ms. M.M. Deshmukh, APP for the Respondent - State

***CORAM : NITIN JAMDAR &
C.V. BHADANG, JJ.***

DATE : 31 AUGUST 2021

P.C. :-

Heard the learned Counsel for the Applicant and the learned APP for the State.

2. Delay in filing the Criminal Appeal against conviction of 8 years and 319 days is sought to be condoned. The Applicant is in custody. He has preferred this Appeal through Legal Aid.

3. We have perused the Application. The Applicant has given his original residential address of the State of Orissa. He has stated in the Application that there is nobody to assist him and in these circumstances, there is delay in filing the Appeal. Since the Applicant is in the custody, we do not find that any discernible advantage is gained by filing the Appeal with delay.

4. The Application for condonation of delay is accordingly allowed. Delay in filing the Appeal stands condoned.

C.V. BHADANG, J.

NITIN JAMDAR, J.

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