

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

CRIMINAL APPLICATION (BA) no.933/2021

(Ashok Natthuji Wankar Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R.M.Patwardhan, Advocate for the applicant.
Mr. N. Rao, APP for the Non-applicant/State.
Ms. P.D.Rane, Advocate (appointed) for the Victim.

CORAM : ROHIT B. DEO, J.

DATED : 27-09-2021

The charge-sheet is filed during the pendency of this application.

2. Considering that the investigation is complete and the chargesheet is filed, the learned counsel for the applicant Mr. Patwardhan seeks liberty to withdraw this application and to approach the learned Sessions Judge for bail. However, the learned counsel Mr. Patwardhan is apprehensive that while rejecting the bail earlier, the Trial Court observed that at least till the victim is examined, the applicant is not entitled to bail, which observation may render any further application an empty formality.

3. In order to allay the apprehension expressed, the learned Sessions Judge is requested to decide the bail application afresh, on the basis of the material in the

charge-sheet and uninfluenced by any observation in the earlier order.

4. The application is disposed of as withdrawn, with liberty as prayed for.

5. Fees of the learned appointed counsel be quantified and paid in accordance with the Rules.

JUDGE

ambulkar