

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**933 CRIMINAL APPLICATION NO.693 OF 2022
IN APEAL/2/2021 WITH APEAL/2/2021**

MALINGSING MAYASING BAVRI
VERSUS
THE STATE OF MAHARASHTRA

...

Mr. Sudarshan Salunke, Advocate for the applicant.
Smt. P.V. Diggikar, A.P.P. for respondent - State.

...

CORAM : **V.K. JADHAV AND
SANDIPKUMAR C. MORE, JJ.**

DATE : 11-03-2022.

ORDER :

1. This is a successive application seeking bail pending the appeal and also for suspension of sentence. By an order dated 18th February 2021 this Court (Coram : Ravindra V. Ghuge and B.U. Debadwar, JJ.) in Criminal Application No. 2 of 2021 in Criminal Appeal No. 2 of 2021 has dismissed the application of present applicant / original accused No. 3, as withdrawn. Learned Counsel for the applicant has admitted before us that this Court in Criminal Application No. 2 of 2021 has extensively heard the applicant / original accused No. 3 and when the Court expressed it's disinclination to grant the bail, the applicant has withdrawn the application.

2. Learned Counsel for the applicant submits that the applicant is 25 years of age and he was Under Trial Prisoner. He came to be arrested on 17.08.2018 and since then he is in jail.

3. We have carefully gone through the order dated 18th February 2021 passed by this Court in Criminal Application No. 2 of 2021. In para-4 of the order this Court has disposed of the application of present applicant as withdrawn, however, neither the applicant has sought any liberty to file the application again for bail nor the court on it's own has granted any such liberty. In view of the same, there is no reason for us to consider this application seeking the bail again. However, considering the fact that the applicant is in jail from the date of his arrest, we grant liberty to the applicant to file an application for expeditious hearing of the case and upon filing such application, the same will be considered on it's own merits.

4. The application seeking bail and suspension of sentence is hereby rejected.

(SANDIPKUMAR C. MORE, J.)

(V.K. JADHAV, J.)