

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1676 OF 2022
WITH APPLN/3789/2022 IN BA/1676/2022

NITIN RAMKRUSHNA SHELKE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Sohail Subhedar h/f.
Mr. Nilesh S. Ghanekar
APP for Respondent : Mr. S. B. Narwade
Advocate for complainant : Mr. Shyam C. Arora
(Applicant in Application No. 3789 of 2022)
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CORAM : S. G. MEHARE, J.

DATE : 23-11-2022

PER COURT :-

1. Heard the learned counsel for the applicant. He seeks leave to withdraw the application with liberty to file an application before the concerned trial court to seek bail on the ground that the applicant has been in jail for a period more than the half the punishment for the offences for which he has been charged.
2. The learned A.P.P. for the respondent/State and learned counsel for the complainant would submit that the applicant agreed to deposit Rs.1.5 Crore and sought time. These facts were observed by this court in the order passed in Bail Application No. 330 of 2020 dated 28.07.2020.

3. Mr. Arora, the learned counsel for the complainant would submit that after the detail inquiry, the liability is more than Rs.5 Crore. He would submit that this aspect needs to be considered by the concerned Court while considering the bail application.
4. The applicant shall add complainant Harshal Kailashrao Zarekar as respondent to the said application. The complainant shall put his case before the concerned Court, while hearing and deciding the said application.
5. With the above observations, leave granted to withdraw the application with liberty to file a fresh bail application before the competent court. The application stands dismissed as withdrawn.
6. Criminal Application No. 3789 of 2022 is disposed of.

**(S. G. MEHARE)
JUDGE**

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