

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

**INTERIM APPLICATION NO. 695 OF 2022
IN
CRIMINAL APPEAL NO. 79 OF 2016**

Prashant Prasad Rao @ Sunny	...Applicant/Appellant
Versus	
The State Of Maharashtra	...Respondent

**WITH
CRIMINAL APPEAL NO. 1012 OF 2014**

Riyaz Ahmad Hussain Shaikh @ Bhaiji	...Appellant
Versus	
The State Of Maharashtra	...Respondent

....

Mr. Kartik Garg, Advocate for the Applicant/Appellant
Mrs. P. N. Dabholkar, APP for the Respondent – State.

CORAM	:	PRAKASH D. NAIK, J.
DATE	:	14th MARCH, 2022.

PER COURT:

1. This is an application filed through jail seeking bail in Criminal Appeal No.79 of 2016. The application is filed on 8th February, 2022.

2. Learned appointed Advocate for applicant submitted that the applicant had forwarded letter to him stating that the applicant had undergone sentence of 10 years and the application for bail may be preferred before this Court on his behalf.

3. Learned counsel for the applicant submit that the applicant has been granted bail by this Court on suspending the sentence of imprisonment vide order dated 16th March, 2018. However, in view of the letter forwarded by the applicant to him and application preferred before this Court through jail, the learned counsel was under impression that the order dated 16th March, 2018 is not communicated to the applicant/appellant.

4. Report has been received from the Sessions Court along with letter of the Superintendent of Jail, Mumbai Central Prison dated 3rd March, 2022. The report indicate that order dated 16th March, 2018 passed by this Court is intimated and copy has been supplied to the applicant/appellant/original accused Prashant Prasad Rao @ sunny. He did not furnish surety in respect to the bail order. He is presently lodged in Mumbai Central Prison in another cases i.e. MCOC Special Case No.9 of 2012 and Sessions Case No.356 of 2017.

5. In Interim Application No.695 of 2022 filed through jail there is no reference to order granting bail passed by this Court in Criminal Application No.977 of 2017.

6. Considering the aforesaid circumstances, this application cannot be entertained since sentence of imprisonment

is already suspended by this Court vide order dated 16th March, 2018.

7. Interim Application No. 695 of 2022 stands disposed off accordingly.

8. This order may be communicated to the applicant/Appellant through jail where he has been detained.

(PRAKASH D. NAIK, J.)