

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.914 OF 2022

IN

CRIMINAL APPEAL NO.252 OF 2019

Vivek Krishnamurari Shrivastav ... Appellant

Vs.

State of Maharashtra and another ... Respondents

WITH

INTERIM APPLICATION NO.916 OF 2022

IN

CRIMINAL APPEAL NO.261 OF 2019

WITH

INTERIM APPLICATION NO.915 OF 2022

AND

INTERIM APPLICATION (ST.) NO.2417 OF 2020

IN

CRIMINAL APPEAL NO.250 OF 2019

WITH

INTERIM APPLICATION NO.917 OF 2022

AND

INTERIM APPLICATION NO.2630 OF 2021

IN

CRIMINAL APPEAL NO.251 OF 2019

WITH

INTERIM APPLICATION NO.918 OF 2022

IN

CRIMINAL APPEAL NO.253 OF 2019

Mr. Niranjan Mundargi a/w. Mr. Veerdhawal Deshmukh i/b. Mr. Satish S. Sharma for Applicant in IA/914/2022.

Mr. Satish S. Sharma for Appellant in Appeal/252/2019.

Mr. H. S. Venegaonkar for Respondent-UOI.

Ms. G. P. Mulekar, APP for Respondent-State.

**CORAM : S. S. SHINDE &
SARANG V. KOTWAL, JJ.**

DATE : MARCH 30, 2022

P.C. :

. This is an application through jail for temporary bail for 90 days.

2. Since this is a matter through jail, we appoint Advocate Niranjan Mundargi to espouse the cause of the applicant.

3. Heard Mr. Mundargi, learned counsel for the applicant and Mr. Venegaonkar, learned counsel for the respondent-UOI.

4. It is pointed out that the applicant had preferred Criminal Application No.175 of 2019 in Criminal Appeal (St.) No.149 of 2019 for his release on bail during the pendency of the appeal. The Division Bench of this Court, on merits, rejected the said application *vide* order dated 12.02.2020.

5. Today this application is before us for consideration of temporary bail on the ground of spread of omicron virus.

6. Mr. Venegaonkar, learned counsel for the respondent opposes the application on the ground that the prevailing situation of *covid* pandemic is subsiding.

7. Mr. Mundargi, learned counsel for the applicant submitted this application may be considered sympathetically.

8. Having perused the order dated 12.02.2020 rejecting the earlier bail application of the applicant on merits as also considering the prevalent situation, we do not think this is a fit case in which temporary bail can be granted to the applicant on the ground of outburst of covid-

19 pandemic and we deem it appropriate to reject the application.
Interim Application No.914 of 2022 stands rejected accordingly.

(SARANG V. KOTWAL, J.)

(S. S. SHINDE, J.)

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