

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

CRIMINAL BAIL APPLICATION NO. 1804 OF 2022

Shailendra Lalji Yadav

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr. Rajendra Rathod for Applicant.

Smt. J. S. Lohokare, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 1st AUGUST 2022

PC :

1. The Applicant had earlier approached this Court vide Bail Application No.1199 of 2021. Vide detailed reasoned order dated 16/07/2021 that bail application was rejected. The applicant is seeking bail in connection with C.R.No. 416 of 2019 registered at Powai police station, U/s.302, 326, 324, 143, 147, 109, 149 r/w. 34 of I.P.C. and U/s.37 of the Maharashtra Police Act.

2. The applicant was arrested on 21/07/2019. In the order dated 16/07/2021 the incident and nature of evidence is discussed in detail. After this order was passed, the applicant challenged that

order by way of Special Leave to Appeal (Cri.) No. 212 of 2022. The Hon'ble Supreme Court on 19/01/2022 passed following order:

“The Court is convened through Video Conferencing.

Learned counsel appearing for the petitioner, after arguing for some time, seeks permission to withdraw the Special Leave Petition.

In view of the request made, the Special Leave Petition is dismissed as withdrawn.”

3. This order is not annexed to the present application. However, it is produced by learned counsel for the applicant before this court today. Even a statement to that effect is not made in the application memo. Only a reference in the synopsis is made at Sr.No.6 that, the applicant had approached the Hon'ble Supreme Court. Since this Court had rejected the bail application on merits and since the Hon'ble Supreme Court also has dismissed the applicant's application for bail on merits, this Court cannot consider grant of bail to the Applicant on merits.

4. Learned counsel for the applicant submitted that, there

is no progress in the trial. To that extent learned trial Judge shall consider the pendency of earlier criminal trials before him and the applicant's trial be taken up for hearing keeping in mind the earlier pendency before him.

5. With these observations, the Application is dismissed and disposed of.

(SARANG V. KOTWAL, J.)