

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPEAL NO.507 OF 2021
(Kishor s/o Arjun Belsare Vs. State of Mah. & anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.V. Sirpurkar, Advocate for the appellant.
Shri M.J. Khan, A.P.P. for respondent No.1/State.
Shri G.S. Shegaonkar, Advocate (appointed) for respondent No.2.

CORAM : ANIL S. KILOR, J.
DATED : APRIL 08, 2022.

Heard Shri Sirpurkar, learned counsel for the appellant, Shri Khan, learned Additional Public Prosecutor for respondent No.1/State and Shri Shegaonkar, learned counsel for respondent No.2.

2. In this case, Shri Sirpurkar, learned counsel for the appellant made a short submissions that as this Court has already protected the appellant by granting ad-interim anticipatory bail vide order dated 02/12/2021 and as the charge-sheet has been filed, he prays for continuation of ad-interim protection for 15 days to enable him to surrender before the Court and apply for regular bail.

3. The learned counsel for respondent No.2 opposes the request.

4. Shri Khan, learned Additional Public Prosecutor has no objection for protecting the appellant as

prayed for, but he submits that instead of 15 days, 10 days period may be granted.

5. Having considered the request of the learned counsel for the appellant and in view of the judgment passed by the Hon'ble Supreme Court of India in the case of **Nathu Singh Vs. State of U.P. & ors. (Criminal Appeal No. 522 of 2021)**, I am of the opinion that such opportunity should be given to the appellant to surrender and apply for regular bail. Accordingly, I pass the following order:

i) The appeal is permitted to be withdrawn and the same is disposed of as withdrawn.

ii) The order granting ad-interim anticipatory bail vide order dated 02/12/2021 shall continue for 15 days.

iii) If the appellant files application for grant of regular bail with 48 hours prior intimation to the concern learned Additional Public Prosecutor, the learned trial Court is requested to decide the application of the appellant on the same day, if it is possible and convenient for the learned trial Court.