



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**912 CRIMINAL APPLICATION NO.3338 OF 2022
IN APPEALST/9230/2022**

**LOTAN FAKIRA PATIL
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicant : Mr.Apparao Prakash Yenegure
APP for Respondent : Mr.S.J.Salgare

...
**CORAM : SMT. VIBHA KANKANWADI &
ABHAY S. WAGHWASE, JJ.**

DATE : 10 OCTOBER, 2023

PER COURT :-

1. Issue notice to the respondent. Learned APP waives service of notice for the respondent.
2. Present application has been filed for getting delay of 123 days condoned in filing criminal appeal.
3. Present applicant is original accused in Special (POCSO) Case No.32 of 2019, who has been held guilty by the learned Special Judge under the POCSO Act / Additional Sessions Judge, Jalgaon on 14-08-2020 after holding him guilty for committing offence under Section 376 (2)(j)(1) of the Indian Penal Code and under Section

3(a) r/w Section 4 and Section 5(k)(m) r/w Section 6 of the Protection of Children from Sexual Offences Act (POCSO). It appears that the applicant was never on bail throughout the trial. Under the said circumstance, for the reasons stated in paragraph no.7 of the application, as the legal aid was required to be given by the High Court Legal Services Sub-Committee, Aurangabad, the application stands allowed and disposed of. Delay stands condoned.

4. Registry to verify and register the appeal.

(**ABHAY S. WAGHWASE**)
JUDGE

(**SMT. VIBHA KANKANWADI**)
JUDGE

SPT