



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

BAIL APPLICATION NO. 873 OF 2024

ASHOK LAKHA KOLI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

...
WITH BAIL APPLICATION NO. 874 OF 2024

RUSHIKESH @ DADU RAJENDRA KOLI
VERSUS
THE STATE OF MAHARASHTRA

...
WITH BAIL APPLICATION NO. 875 OF 2024

VISHAL ASHOK KOLI
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Abhaysinh K. Bhosle
APP for Respondent : Mr. A. A. A. Khan

...
WITH CRIMINAL APPLICATION NO. 2315 OF 2024 IN BA/873/2024

SHUBHANGI WD/O. JAYWANT KOLI
VERSUS
ASHOK S/O. LAKHA KOLI AND OTHERS

...
Advocate for Applicant/victim : Mr. Hemant Surve

...
CORAM : S. G. MEHARE, J.

DATE : 04-09-2024

PER COURT :-

1. Mr. Surve, the learned counsel for the victim made a statement at bar that he has examined the papers of the bail petition of co-accused Vinod filed in the Hon'ble Supreme Court. The statements of the driver of the tractor and the labours working on the tractor who were also the eyewitnesses were not placed before the Hon'ble Supreme Court. Only the statements of the

eyewitnesses recorded belatedly and *post mortem* notes were placed. In view of the facts, he has preferred review petition before the Hon'ble Supreme Court in Special Leave Petition (Crl) No.3037 of 2024. He states that sincere attempts were made to circulate the review petition. However, it was not be circulated. He also states that such matters are taken in chamber. He would argue the matter without delay when the Hon'ble Supreme Court will grant circulation for hearing.

2. Considering the submission of Mr. Surve, learned counsel for the victim, the Court is of the view that passing the order on the basis of findings of the Hon'ble Supreme Court in Special Leave Petition (Crl.) No.3037 of 2024 (Arising out of final judgment and order dated 06.07.2023 in Bail Application No.887 of 2023 passed by the High Court of Judicature at Bombay at Aurangabad), would be a hasty decision. Therefore, this application be kept pending till the review application filed by the victim is decided by the Hon'ble Supreme Court.

3. A copy of the review petition with application for condonation of delay placed on record should be made a part of the record.

4. List the matter after the decision of review petition of the victim by the Hon'ble Supreme Court.

(S. G. MEHARE)
JUDGE