



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

CRIMINAL APPLICATION (BA) NO. 103/2024

Mahendra Rupnarayan Solankey .Vs. State of Maharashtra

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

Court's or Judge's orders

Mr. U. P. Dable, Advocate for applicant.
Mrs. M. A. Barabde, A.G.P for non applicant-State.

CORAM : **ANIL L. PANSARE, J.**

DATE : **28.06.2024**

On 25.06.2024, following order was passed.

“Two attempts made by the applicant did not yield any relief. This Court, on 29-8-2022, has rejected the application filed by the applicant under Section 439 of the Code of Criminal Procedure. The application came to be rejected on following, amongst other, grounds.

(1) The applicant is facing charge of committing murder of two persons.

(2) There are as many as seven witnesses to the incident.

(3) The case of applicant of mistaken identity as regards his involvement is found to be incorrect because the Court found that the applicant and Mahatma Thakur are one and the same.

(4) The role played by the applicant and other accused are different, and

(5) the applicant was absconding for about three years.

The second application filed by the applicant for his release for seven days was rejected on following, amongst other, grounds.

(1) The case of mistaken identity was found to be incorrect.

(2) The applicant is facing serious charges and it will be highly risky to release him even for seven days.

This is third such attempt.

Learned counsel for the applicant submits that there is no progress in the trial for last two years. This ground, on

the face of record, appears to be not sufficient to release the applicant on bail, particularly considering the nature of accusation against him.

At this stage, learned counsel for the applicant seeks time to take instructions. Time granted.

List on 28-6-2024 at serial no. 1.”

Learned counsel for the applicant, on instructions, seeks permission to withdraw the application.

Permission is granted.

The application is dismissed as withdrawn.

(Anil L. Pansare, J.)