



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

CRIMINAL APPLICATION (APPA) NO.335 OF 2024
IN
CRIMINAL APPEAL STAMP NO.2700 OF 2024

Santosh s/o Namdeo Raut

Vs.

State of Maharashtra, Through Police Station Officer, Police Station, Arvi,
District Wardha and another

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

Court's or Judge's orders

Mr. A. S. Shukla, Advocate for appellant.
Mr. Nitin Autkar, APP for respondent No.1/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 01/04/2024

1. By this appeal, the appellant has challenged the order passed by the learned Special Judge, Wardha in Criminal Bail Application No.376/2023 by which, the application for bail of the present appellant is rejected. As the appellant is behind bar, he could not arrange for his defence and therefore, he could not file the appeal, and therefore, delay of 122 days is caused in preferring the appeal.

2. It is submitted by the learned Counsel for the appellant that there is a sufficient and satisfactory reason for condonation of delay. Whereas, learned APP strongly opposed the said application on the ground that delay is not properly explained.

3. Considering the reason mentioned in the application and considering the fact that the appellant is behind bar and he could not arrange for his defence therefore, delay is caused. There is satisfactory and sufficient reason for condone the delay. The application deserves to be allowed. Accordingly, I proceed to pass following order.

ORDER

- (i) The application is allowed.
- (ii) Delay of 122 days is hereby condoned.
- (iii) Appeal be registered.
- (iv) The application is disposed of.

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- (i) Heard.
- (ii) **Admit.**
- (iii) Learned APP waives service of notice for State.
- (iv) The respondent No.2 – informant shall be intimated through Police Station Officer, Police Station, Arvi, District Wardha.
- (v) Stand over after two weeks.

(URMILA JOSHI-PHALKE, J.)