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SLP(Crl.)No. 2609 OF 2001

ITEM No.11

Court No. 1

SECTION IIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No. 2609/2001
(From the judgement and order dated 10/07/2001 in CRLA 828/01 in Crl.
A. No. 173/2001 of The HIGH COURT OF BOMBAY, NAGPUR BENCH, NAGPUR)

BAPURAO & ORS.

Petitioner (s)

VERSUS

STATE OF MAHARASHTRA

Respondent (s)

(With Appln(s). for bail and exemption from filing c/c of the
impugned Judgment and exemption from filing O.T.)
(With Office Report)

Date : 03/08/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s) Mr. V.A. Mohata, Sr. adv.
Mr. S.M. Jadhav, adv. Mr. R.S. Lambat, adv.
Mr. Sunil Kumar Verma, adv.

For Respondent (s)

UPON hearing counsel the Court made the following
O R D E R

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Admittedly petitioners' appeal against conviction and sentence is still pending in the High Court. Bail has been refused on 10th July, 2001. Learned counsel for the petitioners submits that even if prosecution story is accepted as established, the offence would not fall under Section 306 IPC. He submits that in view of the period already spent in jail, the petitioners be released on bail.

It is open to the petitioners to approach the High Court again and urge all such pleas. We are not inclined to interfere with the interim order at this stage. The special leave petition is dismissed.

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(S. Malkani)
Court Master

(Kanchan Jain)
AR-cum-PS