

SUPREME COURT OF INDIA

Subhash Babu Patil

Vs.

State of Maharashtra & Anr.

CrI.A.No.18 of 2008

(Altamas Kabir, J.M.Panchal,JJ.)

04.01.2008

ORDER

[Arising out of S.L.P.(CrI.)No.4718 of 2007]

1. Leave granted.
2. By the impugned judgment of the Bombay High Court, the appeal preferred by the appellant herein was disposed of in his absence. Without going into the merits of the order passed, but, relying on the view taken by this Court that in the absence of the accused, fresh notice ought to have been issued, we set aside the impugned order of the Bombay High Court and remand the matter back to the High Court for fresh disposal. In the event, the appellant applies for bail afresh, the same should be considered expeditiously by the High Court
3. Having regard to this order, we request Hon'ble Chief Justice of the Bombay High Court to allocate this matter to a particular Division Bench before whom the parties before us shall appear either themselves or through their learned advocates on 06th February 2008.
4. The appeal is allowed accordingly.