



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

CRIMINAL APPLICATION NO.992 OF 2026

Dnyaneshwar s/o Haridas Dhakane

..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

Shri S.P. Sonwane, Advocate for the applicant.
Shri A.B. Badar, APP for non-applicant/State.

CORAM: M.M. NERLIKAR, J.

DATE : 19.08.2026.

Heard.

2. By way of this application, the applicant is seeking bail in connection with Crime No.884 of 2013 registered with Yavatmal City Police Station District Yavatmal for the offence punishable under Sections 147, 148, 149, 379, 427, 294, 506, 395 of the Indian Penal Code and Section 135 of the Maharashtra Police Act.

3. The FIR came to be lodged by the informant that the informant gave understanding to accused persons to stop gambling. Due to which, accused persons cause damage to his car of Rs.30,000/-, looted Rs.25000/- kept in the car and extended threats to the informant and hence the report. During investigation the name of the applicant revealed and he arraigned as an accused in the present crime.

4. Learned Counsel for the applicant submits that initially the applicant attended the Court regularly after he was release on bail. As there is no progress in the trial,

he stopped attending the trial, however Non- Bailable Warrant was issued and accordingly, the applicant was arrested on 31.10.2025. Thereafter, he preferred the bail application before the Trial Court, which came to be rejected on 04.12.2025. It is submitted that one accused out of 6 is absconding, the applicant and other two accused persons are in jail whereas one accused was released on bail, therefore, the present applicant had filed an application for separating the trial before the Sessions Court, however, the same was rejected on the ground that already the Court has issued the summons to the surety of the absconded accused. Therefore, it is submitted that due to above circumstances neither the trial is separated nor the trial has proceeded further due to abscondance of one accused person. Since the applicant initially was granted bail and only for not attending the trial his bail was cancelled,, therefore, the learned Counsel for the applicant submits that the applicant will henceforth attend the trial regularly and hence, he prayed to be enlarged on bail.

5. On the other hand, learned APP vehemently opposed the application on the ground that for two years the applicant has not attended the trial and therefore, the Trial Court was required to issue three non-bailable warrants against him, due to which, the trial was protracted and therefore, the application is prayed to be rejected.

6. I have considered the rival submissions and perused the record. It is not in dispute that when the applicant was released on bail, on few occasions the

applicant has attended the trial, however after that he was absent. It appears that on 08.10.2025 Non-Bailable Warrant was issued against the applicant which was executed on 31.10.2025 and since then he is in jail. As was submitted by the learned Counsel for the applicant that the applicant henceforth will attend each and every date of trial without fail. Only on this assurance of the applicant, I am inclined to enlarge the applicant on bail. Hence the following order :

- (a) The application is allowed.
- (b) The applicant Dnyaneshwar s/o Haridas Dhakane in connection with Crime No.884 of 2013 registered with Yavatmal City Police Station District Yavatmal for the offence punishable under Sections 147, 148, 149, 379, 395, 427, 294, 506 of the Indian Penal Code and Section 135 of the Maharashtra Police Act, be released on bail on furnishing P.R. bond of Rs.1,00,000/- with two solvent sureties in the like amount.
- (c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (d) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (e) The accused shall attend each and every date of

trial regularly. If he fails to attend the trial for a single date, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail. Even the Trial Court is at liberty to cancel the bail *suo moto*.

7. The observations are *prima facie* in nature and the Trial Court shall not be influenced by the same.
8. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)

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