

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2813 OF 2015

Vithal s/o Kachru Bhosale

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. D.A.Naik, Advocate for Applicant.

Mr. V.H.Dighe, A.P.P. for Resp. – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 7th JULY, 2015

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PER COURT :

1. This is an application for bail in connection with Crime No. 121/1996 registered with Waluj police station, Dist. Aurangabad for the offence punishable u/s 395 of the Indian Penal Code.

2. Initially, applicant was arrested and he was released on bail by the Court of law. However, he did not make available himself to the course of justice. Therefore, learned trial Court issued non bailable warrant against him and in execution of said non bailable warrant, he was brought before the Court. Thereafter, he moved an application for

bail, which was rejected.

3. Looking to the tendency of the applicant of jumping the bail and not making available himself for the course of justice, no discretion can be used in favour of such person.

4. Hence, present Criminal Application is rejected.

5. Learned counsel for the applicant submitted that the applicant is of 75 years of age and the other accused persons are still not apprehended. In that view of the matter, learned trial Court is directed to decide Sessions Case No. 9/2015 pending on the file of learned Additional Sessions Judge, Vaijapur as expeditiously as possible, within a period of one year from today looking to the advance age of the applicant by taking appropriate steps by separating the trial of the present applicant from the other accused persons, who are absconding.

6. With these observations, present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]