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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 427 OF 2015
IN
CRIMINAL APPEAL NO. 128 OF 2012

Noor Mohammad Sayed Mohd. Pathan

.. Applicant

Vs.

The State of Maharashtra

.. Respondent

Mr. Moin Khan i/by Mrs. Anjali Awasthi for applicant.
Dr. F. R. Shaikh, APP for State.

CORAM: P. V. HARDAS &
DR. SHALINI PHANSALKAR-JOSHI, JJ.

APRIL 10, 2015.

P.C.

1. This application has been filed by the applicant, who seeks his enlargement on bail by suspending the substantive sentence of imprisonment on account of marriage of his daughter.

2. It appears that the applicant had earlier filed similar application, seeking his release on bail in respect of marriage of his other

daughter. The aforesaid application, namely, Criminal Application No. 238 of 2014, has been allowed by us by our order dated 20/2/2014 and we had suspended the substantive sentence of imprisonment and had released the applicant on bail on certain conditions, namely, that the applicant shall execute a PR bond in the sum of Rs.20,000/- and shall also deposit cash amount of Rs.20,000/- in lieu of solvent surety before the trial court. The aforesaid order further stipulates that the applicant shall attend the Mumbra Police Station everyday between 8 a.m. and 9 a.m., excepting the date of the marriage. Learned APP was asked to ascertain the genuineness of the reason put-forth by the applicant and the learned APP states on instructions that the marriage of daughter of the applicant is scheduled to be solemnized on 16/4/2015. The learned APP has also not pointed out to us any circumstances regarding the breach of the conditions imposed by this court in its earlier order.

3. In that light of the matter, therefore, we allow this application and suspend the substantive sentence of imprisonment and direct that the applicant be released on bail on the applicant executing PR bond in the sum of Rs.20,000/- and shall also deposit Rs.20,000/- in lieu of solvent surety. Bail to be furnished before the trial court. The applicant shall attend the

Mumbra Police Station everyday of his release, excepting 16/4/2015 which is the date of the marriage. The release of the applicant on bail to be effective from 13/04/2015 till 20/04/2015. The applicant shall surrender to his bail in the evening of 20/04/2015.

4. Application is allowed as indicated above.

5. All concern to act upon the copy of this order duly authenticated by the Court Sharistedar of this court.

(DR. SHALINI PHANSALKAR-JOSHI,J.)

(P. V. HARDAS,J.)