

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2250 OF 2015

Rakshet Vinod Dalani

..Applicant

*-Versus-*Prakash Anthoni I.O., NCB
and State of Maharashtra

..Respondents

Mr.A.P.Mundargi, Senior Advocate with Mr.A.R.Sarpande for
applicant

Ms.Rutuja Ambekar, APP for Respondent No.2

Mr.Parth Yadav, I.O. present.

CORAM : A.S.GADKARI, J.

DATE : 21st November 2015.

P.C.

1] This is an application by the accused for temporary bail on the ground that the marriage of his sister is scheduled on 27th November 2015 at ITC Maratha Sahar, Andheri (East), Mumbai 400 099.

2] Respondent No.1 is Narcotics Control Bureau. Under the directions of this Court, the learned Counsel for the applicant had issued notice the respondent No.1. This matter was called out

today in the morning session when nobody appeared for respondent No.1, NCB. In these circumstances, this Court directed the learned Counsel for the applicant to issue fresh notice to the respondent No.1 and accordingly, notice came to be issued. It has been mentioned in the notice that this matter will be taken up for hearing at 3.00 p.m. due to the urgency involved.

3] At 3.00 p.m. Mr.Parth Yadav, I.O. appears and submits that though they have appointed a Counsel to appear in the matter, the learned Counsel is not available today for attending this Court. In view of the urgency cited, I proceeded to hear the learned Counsel for the applicant and learned APP for respondent No.2.

4] The applicant is an accused in C.R.No. NCB/BZU/CR-03/2010. Earlier, the applicant was released on bail. However, the said order granting bail was cancelled by the High Court and the order of the High Court was confirmed by the Supreme Court. The applicant is in jail since then. The applicant has placed on record the invitation card showing that the marriage of his younger sister is scheduled on 27th November 2015 at about 6.00 p.m. He has

further stated that he is the only brother and, therefore, he may be allowed to attend the marriage ceremony of his sister.

5] Taking into consideration the aforesaid facts, I am inclined to release the applicant on temporary bail for a period of three days on the condition that the applicant shall attend the said marriage ceremony in police escort and shall return to jail on the date prescribed hereinunder.

6] Hence, the following order:-

(i) The applicant shall be released on temporary bail in the aforesaid crime on 26th November 2015 at about 10.00 a.m. and the applicant shall surrender himself to jail on or before 6.00 p.m. on 28th November 2015.

(ii) The applicant shall be released from jail on temporary bail in police escort. The concerned jail authority shall provide necessary and sufficient staff to escort the applicant at the address mentioned in the invitation card and shall bring him back in jail on or before 6.00 p.m. on 28th November 2015.

(iii) The applicant shall deposit necessary escort charges in advance with the jail authorities before his release from jail;

(iv) While on bail the applicant shall not contact any of the prosecution witnesses in the said crime or shall not try to influence the prosecution witnesses.

7] It is needless to mention that after surrender to jail, the applicant shall make good the deficit of amount towards escort charges, if any.

8] All concerned to act on an authenticated copy of this order.

(A.S.GADKARI, J)