

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.Criminal Application (aba) No. 44 of 2015

Gautam Aadkuji Gedam

v.

The State of Maharashtra, thr. P.S. Warora, Distt. Chandrapur.

Office Notes, Office Memoranda of Coram
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. S.V. Sirpurkar Advocate for the Applicant.
Mr. S.M. Bhagade, APP, for non-applicant.

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Coram : S.B. Shukre, J.Date : 11th February, 2015.

Heard learned counsel for the applicant and learned
APP.

It is submitted on behalf of the applicant that the applicant be released on anticipatory bail on a new ground, on the ground that the applicant is ready to give an undertaking to the Court and that if the court feels that there is a possibility of the applicant tampering with the prosecution witnesses or influencing the course of justice, the applicant, to avoid to any such apprehension, is willing to stay outside district of Chandrapur. To my mind, this is a new ground. But, then this can also be canvassed before the Court below. In view of this, learned counsel for the applicant has sought permission of this Court to withdraw

this application with liberty to applicant to surrender before the Sessions Court and apply for regular bail on the aforesaid new ground. He also seeks interim protection till that time.

Although, the learned APP has objected to this proposal of granting liberty to the applicant, I am of the view that as the applicant has still not been arrested by the Investigating Officer, which is inexplicable, the applicant can be given interim protection with liberty as sought by him, while withdrawing this application. The application deserves to be allowed to be withdrawn with liberties as prayed for.

Accordingly, the application is allowed to be withdrawn. Liberty is granted to the applicant to surrender himself before the competent Court and file an application for grant of regular bail. Till the application is filed for regular bail and is decided by the court below, the applicant shall have interim protection and it is directed that in the event of arrest of the applicant, the applicant shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- together with one solvent surety in like sum on conditions that the applicant shall not tamper with the prosecution witnesses and shall stay away from the school. Criminal application disposed of in these terms. Hamdast allowed.

Judge

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