

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

CRIMINAL APPLICATION NO. 6545 OF 2015

Sandeep S/o Dnyaneshwar Pagare,

Age : 30 years, Occu. Labour,

R/o. Shravasti Colony,

Bhimnagar, Bhausingpura.

... Applicant

VERSUS

The State of Maharashtra

... Respondent

.....
Mr D. S. Manorkar, Advocate for the applicant
Mr U. S. Mote, APP for respondent/State
.....

CORAM : **N. W. SAMBRE, J.**

DATE : **11TH JANUARY, 2016.**

PER COURT:

. Learned Counsel for the applicant, upon instructions, undertakes to attend the trial regularly.

2. The applicant claims that he was released on pre-arrest bail in Crime in question i.e. I-79 of 2009, registered with Chavani Police Station, Dist. Aurangabad, for the offences punishable under Sections 363, 376, 323, 506 read with 34 of the Indian Penal Code.

3. According to learned Counsel for applicant, the applicant attended Sessions Trial No. 436 of 2010 for few days. However, as one of the accused i.e. accused No. 3 remained absconded, the trial since was not proceeded he remained absent. According to him, applicant is behind bars.

4. Learned APP submits that, order of cancellation of bail does not call for any interference as the applicant has not complied with the condition of bail by not attending trial.

5. In view of the undertaking given by the applicant that he shall attend the trial regularly, in my opinion, the applicant who was earlier released on pre-arrest bail, is entitled for release on bail subject to following conditions. Hence, I proceed to pass the order.

ORDER

- (i) The applicant shall furnish an undertaking to the Court below in Sessions Case No. 436 of 2010, to the effect that he shall attend the trial on each and every date that will be fixed.
- (ii) He shall pay costs of Rs. 5,000/- (Rupees Five Thousand), which is to be deposited before the Sessions Court within a period of two weeks from today.

- (iii) Bail on same terms on which he was released earlier.

[N. W. SAMBRE]
JUDGE

sgp