

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.292 Of 2016

Tasleem @ Natya Sayeed Shaikh .. Applicant
Versus
The State of Maharashtra .. Respondent

Mr.Sachin R. Pawar, Advocate for the applicant.

Ms.S.S. Kaushik, APP for the Respondent State.

API B.H. Baviskar from Bhiwandi Taluka P.Stn present.

CORAM : PN. DESHMUKH, J.

DATED : 14th JULY 2016

P.C. :

1 This is an application for grant of bail by accused involved in Crime No.I-99 of 2004 registered on 1st November 2004 for the offences punishable under Sections 307, 395, 397, 427 of the IPC r/w Section 34 of the IPC.

2 According to the learned counsel for the applicant, on 18th January 2007, applicant was allowed to be released on bail, and on filing of charge-sheet, applicant was attending before the learned Sessions Court on each and every date. However, thereafter, when he shifted to Pune for business purpose, he could not attend the Court at Thane as he was then suffering from serious illness, and was advised bed-rest. In that event, learned Sessions Court issued non-bailable warrant against the applicant

which came to be executed on 10th August 2015. Applicant came to be arrested and since then is lodged in jail.

3 Perused the documents filed with the application.

4 It appears that the learned Sessions Judge while rejecting Bail Application filed by the applicant after execution of non-bailable warrant, has noted that applicant while on bail has not abided with conditions imposed upon him while he was released on bail on 18th January 2007, and thus rejected the application.

5 Record reveals that this Court, on the earlier date, had directed applicant to file affidavit on record, thereby undertaking to attend the trial Court on each and every date. Learned counsel for the applicant, in compliance to this order, has placed on record applicant's affidavit, as aforesaid, duly affirmed by him, through Superintendent, Thane Prison.

6 Considering the fact that applicant was initially released on bail, however, since is taken into custody on execution of non-bailable warrant as aforesaid, Application is liable to be allowed, as per order below

O R D E R

- i) Applicant shall be released on bail on his executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties to make up the surety amount.

- ii) Applicant shall not tamper with the witness, and shall abide by his undertaking given on affidavit about his remaining present before the trial Court on each and every date.

7 Application is disposed of in the above terms.

(PN. DESHMUKH, J)