

*shivgan*FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION No.594 OF 2016

IN

CRIMINAL APPEAL NO.272 OF 2016

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Solkar Mohammad Amin, Advocate for the Applicant.

Smt. G.P.Mulekar, APP for the State.

Mr. R.Sathyanarayanan, Advocate for Intervenor.

CORAM : A.S.GADKARI, J.

DATE : 4th July, 2016

P.C.

1) Heard learned counsel for the applicant and the learned counsel for the original complainant. The applicant is convicted under Sections 307, 324 and 504 of the Indian Penal Code, 1860 by the learned Additional Sessions Judge, Raigad-Alibag in Sessions Case No.36 of 2009 by the judgment and order dated 30.3.2016. The learned counsel for the applicant submitted that during the pendency of the trial, the applicant was on bail and that after the impugned judgment and order dated 30.3.2016 passed by the trial Court, the applicant has surrendered his bail bonds and since then he is in custody. He further submitted that there is no adverse report that the applicant has violated any of the bail conditions during the pendency of the trial.

2) The learned counsel appearing for the complainant opposed the bail application. He submitted that the nature of injuries and nature of weapon used by the applicant does not entitle for releasing him on bail. He submitted that the application may be rejected.

3) Substantive sentence imposed on the applicant is of five years. This is a short term sentence. The applicant was on bail during the pendency of the trial. There is no report that he has breached any of the conditions, while on bail. In view of the same, I am inclined to release the applicant on bail.

4) Hence, the following order:

(a) The applicant be released on bail on his furnishing P.R.Bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(b) After his release from jail, the applicant shall attend the trial Court once in three months, on first Monday of the concerned month between 11 a.m. to 1 p.m.

(c) Any two consecutive defaults in attending the trial Court will attract the provisions for cancellation of bail.

5) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)