

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1649 OF 2016

Rama A. Kamble	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Madhav V. Thorat, Advocate for the applicant.
Mr. S.H. Yadav, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 17th October, 2016.

P.C.

1. Heard. This is an application under Section 439 of Cr.P.C. The applicant is an accused in Crime No.194 of 2014 registered at Tembhruni Police Station. The applicant is charge-sheeted for the offence punishable under Sections 302, 307, 120B, 143, 145, 147, 148, 149 of the Indian Penal Code.

2. At the outset, the learned APP submits that the prosecution has recorded the substantive evidence of two witnesses. The trial has commenced and, therefore, it will not be appropriate to enlarge the applicant-accused on bail. The most incriminating circumstance which the

learned APP has brought to the notice of this Court is that while in custody, the present applicant had fled from jail and is re-arrested after 4 days. A jail offence is registered against the applicant. It is also reported that one of the accused has in fact absconded during the pendency of the trial. In these circumstances, the present applicant does not deserve to be enlarged on bail. Without going into the merits of the matter, for the reasons state hereinabove, for the reasons stated hereinabove, the application seeking enlargement on bail stands rejected.

(SMT.SADHANA S.JADHAV, J.)