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FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2512 OF 2015

Ayub Noor Mohd. Ansari Vs. The State of Maharashtra

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 S. Kanagraj Siddharthan for the applicant.

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

CORAM : A.S.GADKARI, J.

DATE : 05th January, 2016

P.C.

1) The applicant is seeking bail in CR No. 350/2013, dated 22/11/2013 registered with Wadala TT Police Station under section 363 of IPC. The record discloses that as section 363 of IPC being a bailable offence, the applicant was released on bail by the trial Court, immediately after his arrest. The record further discloses that the applicant thereafter jumped the conditions of bail and remained absent continuously before the trial Court. As the applicant did not attend the trial Court, the trial could not proceed. The applicant is, thereafter, arrested on 15/2/2015 and since then he is in jail. The application preferred by the applicant below Exh.4 for bail has been turned down by the trial Court by its order dated 23/9/2015 on the ground that the applicant is not a permanent resident of Mumbai and he has not produced the Aadhaar Card or any

document thereby showing his permanent residential proof.

2) I have perused the application and the documents annexed thereto. The applicant has been charged with Section 363 of IPC which is a bailable offence. After re-arrest on 15.2.2015, the applicant is in jail for the last almost ten months. The applicant has also produced a photocopy of the Aadhaar Card which is at page no. 15 of the present application and, therefore, I am inclined to release the applicant on bail. Though the applicant is not a permanent resident of Mumbai, stringent conditions are required to be imposed while releasing him on bail. Hence, the following order :

ORDER:-

(a) The applicant shall be released on bail in CR No. 350 of 2013 registered with Wadala TT Police station, Mumbai on his furnishing a PR. bond of Rs.25,000/- with two solvent local sureties in the like amount;

(b) After release from jail, the applicant shall attend each and every date before the trial Court, without any excuse;

(c) The applicant shall also furnish his mobile phone number to the Wadala TT Police Station and before the trial Court;

The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)