

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1211 OF 2017

Krishna Bhagwat Koli

....Applicant.

Versus

The State of Maharashtra & Anr.

....Respondents.

Mr. M.R. Bhokarikar, Advocate for applicant.

Mr. V.S. Badakh, APP for respondents.

CORAM : T.V. NALAWADE, J.

DATED : 17th March, 2017.

ORDER :

1. The application is filed for bail. Both the sides are heard.

2. It appears that in Sessions Case No. 161/2013, which is presently pending in the Court of Sessions Judge, Jalgaon for the offences punishable under sections 307 r/w. 34 and 379 of Indian Penal Code, bail was granted to the applicant. As he was not turning up to face the trial, non bailable warrant (N.B.W.) was issued against him and after his arrest, he was produced before the Court. Bail is refused to the applicant by the Sessions Court by observing that in the past also, he was not regular in attending the Court and in the past, he had absconded in the year 2013 and due to him, the case could not make any

progress.

3. It is the case of applicant that he has gone to Faizpur to help his father in business. It appears that applicant is behind bars now from 20.1.2017 till today. In view of these circumstances, this Court holds that applicant must have learnt a lesson. The learned counsel for applicant submitted that applicant will not leave Jalgaon district without prior permission of the Sessions Court and he will co-operate the Court for expeditious disposal of the case. Due to these circumstances, this Court holds that bail can be granted to the applicant by imposing some conditions.

4. In the result, the application is allowed. The applicant is to be released on bail on his furnishing PR and SB of Rs.25,000/-. He is not to tamper with the prosecution witnesses. He is not to commit similar offence while on bail and he is not to leave Jalgaon district without prior permission of the Sessions Judge, Jalgaon. He is to co-operate the Court for expeditious disposal of the case.

[T.V. NALAWADE, J.]

ssc/