

CRIMINAL APPLICATION NO. 2189 OF 2017

VERSUS

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Mr. K.N.Lokhande, A.P.P for respondent

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DATED : 15th JUNE, 2017

O R D E R :

Heard the learned counsel appearing
for the applicant and the learned A.P.P. for
the respondent.

2. By way of filing the present application, the applicant seeks regular bail under Section 439 of the Criminal Procedure Code in connection with Crime No. I-227/2009 registered with Shrirampur City Police Station, Dist. Ahmednagar on 19/07/2009 for the offence punishable under

Section 395 of the Indian Penal Code. Thereafter, the present applicant was arrested on 20/11/2009, however, during the pendency of the trial he was enlarged on bail. After completion of the investigation, the police submitted the charge-sheet and it is pending with the Sessions Court bearing Sessions Case No. 9/2010. On 26/04/2014 onwards the applicant remained absent and therefore, the Sessions Judge issued non-bailable warrant against the applicant and in execution of non-bailable warrant he was taken to M.C.R. on 31/03/2017. The bail petition of the present applicant is rejected by the Additional Sessions Judge on the ground that he was irregular in attending the court and was absent for long time and the matter is very old and trial is being protracted at the instance of the

applicant.

3, Initially, the present applicant was granted bail and by not attending the trial court he has contravened or jumped the bail. Therefore, the trial of the accused persons is protracted since 26/04/2014. It seems, the present applicant is not abiding the conditions of bail and therefore again the bail cannot be granted to him.

4. Learned A.P.P. states that the other crimes for the offence punishable under Section 395 of the Indian Penal Code are pending against the applicant.

5. Considering the above circumstances, I am of the opinion that the applicant is not entitled for bail.

6. Hence the application for bail is rejected.

(K.L.WADANE, J.)