

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

CRIMINAL APPLICATION NO. 2750 OF 2017

Ambadas s/o Rama Shinde

... Applicant

VERSUS

The State of Maharashtra

... Respondent

.....

Mr. S.S.Jadhav, advocate for the applicant

Mr. A.R.Borulkar, A.P.P for respondent

.....

CORAM : K.L.WADANE, J.

DATED : 12th JULY, 2017

O R D E R :

Heard Mr. Jadhav, learned counsel appearing for the applicant and Mr. Borulkar, learned A.P.P. for the respondent.

2. One Dada Subhash Pawar lodged first information report to Washi police station, District Osmanabad alleging that on 13.5.2013 at about 2.00 a.m. in the night about ten unknown persons assaulted the informant and his family members with deadly weapons and robbed them with valuables. The said persons were between 25 to 30 years of age. He further alleged that informant

identified the present applicant and his three sons being the members of the said gang. Based upon the information Crime No. 61 of 2013 was registered at Washi police station, District Osmanabad.

3. During pendency of trial, the applicant/accused was released on bail by the learned Sessions Judge by order dated 14.6.2013. However, subsequently the applicant was unable to attend the proceedings of the Sessions trial before the Court of Additional Sessions Judge, Bhoom.

4. Learned counsel appearing for the applicant submits that the present applicant was arrested in connection with Crime No. 292 of 2015 with Juhu police station, and therefore, he was unable to attend the proceedings of the Sessions trial before the Additional Sessions Judge, Bhoom.

5. Looking to the above circumstances, which were not within the control of present applicant, as he was in custody in another Crime, he was unable to remain present before Additional

Sessions Judge, Bhoom. Considering the facts, the present applicant can be released on bail by putting certain conditions.

6. Hence, the following order.

(i) Criminal Application is allowed.

(ii) The applicant be released on bail in connection with Crime No. 61 of 2013, registered with Washi police station, District Osmanabad, on his furnishing P.R. bond of Rs. 15,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend Washi police station once in a week i.e. on every Monday between 10.00 a.m. to 12.00 noon, till conclusion of the trial.

7. Criminal Application is disposed of.

(K.L.WADANE, J.)

dbm