

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

CRIMINAL APPLICATION NO. 3268 OF 2017

1] Rekha w/o Kashinath Mohite
2] Chhaya w/o Eknath Mohite ... Applicants

VERSUS

The State of Maharashtra ... Respondent

.....

Mr. P.F.Patni, advocate for the applicants
Mr. S.B.Joshi, A.P.P for respondent
.....

CORAM : K.L.WADANE, J.

DATED : 5th JULY, 2017

O R D E R :

Heard Mr. Patni, learned counsel for the applicants.

2. Issue notice to the respondent. Mr. Joshi, learned A.P.P. waives service of notice for the respondent.

3. Learned counsel appearing for the applicants submits that applicant no.1 was arrested in some other crime in Andhra Pradesh and applicant no.2 was hospitalized. Therefore, both of them were unable to remain present before the trial court. Therefore, non-bailable warrant was

issued against both of them. However, the applicants suo moto appeared before the Court and applied for cancellation of non-bailable warrants as well as for bail. Both the petitions were rejected.

4. I have gone through both the orders, one is of rejection of bail petition and another is in respect of cancellation of non-bailable warrants. Both the orders are cryptic. Only in few words both the petitions were rejected. That goes to show that grounds put forth were not considered by the learned trial Court. In such circumstances, the applicants can be enlarged on bail by putting certain conditions.

5. Hence, the following order.

(i) Criminal Application is allowed.

(ii) Applicants be released on bail in connection with Crime No. II-19 of 2010, registered with Shirdi police station, District Ahmednagar, on furnishing P.R. bond of Rs. 25,000/- with one surety in the like amount.

(iii) Applicants shall remain present on each

and every date before the Trial Court without fail. If the applicants remain absent in future, the learned trial Court shall be at liberty to take the applicant in M.C.R.

6. Criminal Application is disposed of.

(K.L.WADANE, J.)

dbm/crap