

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

29 CRIMINAL APPLICATION NO. 3320 OF 2017

KIRAN S/O. DAGADU BHAKARE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. K.G. Gadhve-Patil h/for
Mr. Wagh Shirinivas S

APP for Respondent State: Mr. K. N. Lokhande

CORAM : K. L. WADANE, J.

DATE : 10th July, 2017

ORDER:

1. Heard learned counsel for the applicant.
2. Issue notice to the respondent. Learned APP waives notice for the respondent State.
3. Mr. Gadhve-Patil, the learned counsel appearing for the applicant submits that the applicant was absent for one date on 14.06.2017 and therefore, the Additional Sessions Judge issued Nonailable Warrant. The applicant then *suo motu* appeared before the learned Additional Sessions Judge, Kopergaon and applied for cancellation of the Nonailable Warrant as well as for Bail as per application Exh. 59. That application has been rejected in one word "Rejected".
4. It is surprising to note that the learned Additional Sessions Judge, without giving any reason

for rejection of the application for cancellation of Non Bailable Warrant and bail, has rejected the application. It was expected from the learned Additional Sessions Judge to write some reasons for rejection of the same. One word's order appears to be improper. In such circumstance, the present application is allowed.

5. The applicant shall be released on bail in connection with Crime No.I-46/2014, registered with Rahata Police Station, District Ahmednagar, on his executing P.R. Bond of Rs. 5,000/- [Rupees five thousand only], with one solvent surety in the like amount.

6. The Registry shall send a copy of the order to the concerned Additional Sessions Judge, Kopargaon for taking note of the observations made above.

(K. L. WADANE, J.)

JPC