

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

29 CRIMINAL APPLICATION NO. 3321 OF 2017

**PREM S/O. SURESH PADWALKAR
VERSUS
THE STATE OF MAHARASHTRA**

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**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 trial against the applicant is pending before the learned Additional Sessions Judge, Kopergaon. On 14.06.2017 the applicant was absent due to miscommunication between him and his advocate. The learned Additional Sessions Judge issued Non Bailable Warrant to secure his present. The Applicant is arrested by the police pursuant to the non bailable warrant. Then the applicant filed application for bail. The learned Additional Sessions Judge rejected the bail application on the ground that

trial has been protracted and no case is made out for bail. Learned counsel appearing for the applicant submits that henceforth, the applicant will remain present for each and every date before the trial Court.

4. In view of the above statement, the 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.

(K. L. WADANE, J.)

JPC