

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.309 OF 2017

IN

CRIMINAL APPEAL NO.204 OF 2016

WITH

CRIMINAL APPLICATION NO.958 OF 2017

IN

CRIMINAL APPEAL NO.204 OF 2016

Rajkumar@ Pappu Ramfer Harijan ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

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None for the Applicant.

Mrs.N.S.Jain, APP for State

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CORAM : A.M.BADAR J.

DATED : 19th September 2017.

P.C. :

1. As none appear for the Applicant/Appellant/Accused and as applications are pending since long, Shri.Thakur the learned Advocate on the Panel of Legal Aid is appointed to represent the application.

2. Heard Shri.Thakur the learned Advocate appearing for the Applicant as well as the learned APP for the State.

3. Both these Applications are registered on the basis of letters sent by the Appellant/Accused No.2 Rajkumar Harijan from the prison. He is already directed to be released on bail vide order dated 24th June, 2016 passed by this Court in Criminal Application No. 364 of 2016 and 365 of 2016. He is directed to furnish PR bond of Rs. 20,000/- with one or more local sureties in the like amount for getting himself released on bail.

4. By Criminal Application No.309 of 2017 the Applicant/Accused No.2 is contending that, as he is unable to furnish surety, initially he be released on cash security so as to enable him to arrange for sureties. Similar is his contention in Criminal Application No.958 of 2017. By this application he prayed that he be released on cash security for a period of 3 months in order to enable him to arrange for surety.

5. I have considered the averments made in both the applications and also perused the impugned judgment and order.

6. This Court by order dated 24th June, 2016 has already directed the release of the Applicant/Accused on bail. He is not in a position to arrange for surety as he is behind bar. Hence, request made by him for grant of 3 months to arrange surety is justified. Therefore, the following order:

ORDER

- (i) On depositing amount of Rs.20,000/- towards cash security, the Applicant/Accused be released on bail after executing PR bond in the like amount for a period of 3 months in order to enable him to arrange for sureties as directed by order dated 24th June, 2016. To this effect Clause 'a' of the order dated 24th June, 2016 stands modified.
- (ii) Applications are accordingly disposed of.
- (iii) Order be communicated to the Applicant, who is undergoing jail sentence.

(A.M.BADAR J.)