

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

**CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.374 OF 2017
IN
CRIMINAL APPEAL NO.1011 OF 2014**

Yuvraj Chandar Ghulum)...Applicant

**V/s.
State Of Maharashtra)...Respondent**

Mr. Prashant Patil, Advocate for the Applicant/Appellant.

Ms. A.A.Takalkar, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 24th MARCH, 2017.

P.C. :

This is an application for releasing the applicant/accused on bail who is again taken in custody on account of breach of condition of attending the trial Court once in six months.

2 The applicant-accused came to be released on bail vide order dated 20.1.2015 by this Court by suspending his substantive sentence and on condition that he should attend the trial Court once in six months. Averments made in the application shows that

as the applicant belongs to scheduled tribe, for earning livelihood he has gone to the Karnataka State for a period from May, 2015 to December, 2015 and as such, he could not attend the trial Court during that period.

3 It is seen from the averments made in the application that for earning his livelihood, the applicant-accused was away from his place of residence which is a village in Nashik District. Therefore, no forbearing importance can be given to some lapses in attending the trial Court. Liberty of an individual is matter of paramount consideration and, therefore, the order:

- (1) The application is allowed.
- (2) The Applicant-accused be released on bail on executing PR bond in the sum of Rs.15,000/- and on furnishing surety in the like amount.
- (3) He shall abide by the condition of the order dated 20.1.2015 passed in Criminal Application No.1676 of 2014.

(A. M. BADAR, J.)