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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.1590 OF 2017

Somnath @Pappu Ankush Shitole

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.R.A.Zade, for the Applicant.

Ms.P.P.Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 1st AUGUST, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.27 of 2016 registered with the Baramati Taluka Police Station, Pune, for the alleged offences punishable under Sections 395, 397 r/w 34 of the Indian Penal Code.
3. Perused the papers. It appears that the applicant was arrested in connection with C.R.No.27 of 2016 registered with the Baramati Taluka

Police Station, Pune, for the alleged offences punishable under Sections 395, 397 r/w 34 of the Indian Penal Code on 30th May, 2016 and was enlarged on bail on 23rd June, 2016. It appears that as the applicant was not present before the learned Additional Sessions Judge, Baramati on 2 dates i.e. on 18th April, 2017 and 16th May, 2017, NBW was issued and the applicant was arrested. It appears that the matter was posted for recording of the evidence on 18th April, 2017 and 16th May, 2017 and that the witnesses were present on both the dates, however, the applicant had not appeared before the learned Additional Sessions Judge, Baramati and hence the learned Additional Sessions Judge, rightly issued an NBW as against the applicant. It appears that after the applicant was arrested, he filed an application seeking cancellation of the NBW, however, the said application was rejected and the applicant was taken into custody. It also appears that thereafter, the applicant filed an application seeking his enlargement on bail, however, the same was also rejected.

4. Learned Counsel for the applicant states on instructions, that the applicant is ready and undertakes to remain present on every date of hearing, before the learned Additional Sessions Judge, Baramati and also

undertakes to co-operate with the trial. He submits that the applicant is also ready to file an undertaking before the learned Additional Sessions Judge, Baramati stating the aforesaid.

5. In view of the statement made by learned counsel for the applicant, on instructions of the applicant, who is in custody, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- ii) The Applicant shall file an undertaking before the learned Additional Sessions Judge, Baramati, that he will appear before the learned Judge on the dates given by the learned Judge and will co-operate with the trial. The said undertaking to be filed by the applicant, within one week of his release.

6. The Application is allowed and disposed of in above terms.
7. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)