

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

**CRIMINAL APPLICATION NO. 1338 OF 2017
IN
CRIMINAL APPEAL NO. 787 OF 2016**

Jhohans Viuwinghiferi Kenigay	Applicant
Versus	
The State of Maharashtra	Respondent

Mr. Hrishikesh Mundargi for the applicant.
Mr. Vinod Chate, APP for the Respondent – State.

***CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 05th OCTOBER, 2017***

P.C. :

1. By this application, the applicant has prayed that he be released on personal bond.
2. The applicant has been convicted in Sessions Case No. 218 of 2013 for offence under Section 376 of the Indian Penal Code and has been sentenced to undergo R.I. for seven years and fine of Rs.10,000/- in default R.I. for six months.
3. By order dated 21st December, 2016 passed by the Court (Coram : Revati Mohite Dere, J.), the applicant was ordered to be released on bail on furnishing PR Bond in the sum of Rs.15,000/-

with one or two sureties in the like amount to the satisfaction of City Civil & Sessions Court, Greater Mumbai.

4. It appears that the applicant has not been able to furnish the surety and hence, continue to be in custody. The records reveal that the applicant is a resident of Bangalore, Karnataka. The records also reveal that the applicant does not have a fixed abode in Karnataka. In view of the above facts, it would not be expedient to release the applicant on personal bond.

5. Hence, the Criminal Application No. 1338 of 2017 is dismissed.

(SMT. ANUJA PRABHUDESSAI, J.)