

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.2342 OF 2017

Abdul Gani	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Mateen A.R.Shaikh for the applicant.
Mr.R.M.Pethe ,APP for the State.
PSI S.D.patil Chembur Police Station, Mubmai.

CORAM: A.M. BADAR, J.
DATED: 9th NOVEMBER 2017

PC:-

1. The applicant is an accused in Sessions Case No 563 of 1987. It is arising out of the Crime No. 614 of 1996 for the offence punishable under Section 376 and 114 of the Indian Penal Code.

2. Heard the learned advocate appearing for the applicant/accused. He argued that the FIR itself shows that the first informant was on inimical relations with the applicant/accused. The FIR is lodged belatedly.

3. The learned APP opposed the application.

4. It is seen that the applicant/accused was released on bail during pendency of the trial. He absconded for decades and ultimately he traced out. The case appears to be 30 years old.

5. The availability of the applicant/accused for facing the trial and for undergoing the resultant sentence, if any, is essential criteria for grant of bail to the accused. In the case in hand, after his release on bail, the applicant/accused absconding and remain away from trial from decades together.

6. In this view of the matter, no case is made out for grant of bail. Therefore, the application is rejected.

(A.M. BADAR, J)