

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

**CRIMINAL APPLICATION NO.1500 OF 2017
IN
CRIMINAL APPEAL NO.1266 OF 2012
WITH
CRIMINAL APPLICATION NO.1390 OF 2017
IN
CRIMINAL APPEAL NO.1266 OF 2012**

Vinay Laxman Kavade	.. Applicant
V/s.	
The State of Maharashtra	.. Respondent

.....
Mr.Swaroop Karade, Advocate for the Applicant.
Mrs.M.M. Deshmukh, APP for Respondent – State.
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**CORAM : S.C. DHARMADHIKARI AND
SMT. BHARATI H. DANGRE, JJ.**

DATED : NOVEMBER 10, 2017.

P.C. :

This is an application seeking release on bail.

2 An acquittal order was passed by the Additional Sessions Judge, Pune, on 10th May, 2012 in Sessions Case No.285 of 2011.

3 Against that judgment and order of acquittal, leave to

appeal was sought by the State, which has been granted. The proceedings are registered as criminal appeal. Thereafter, action under Section 390 of the Code of Criminal Procedure was directed to be initiated.

4 Upon initiation of such action, it is brought to the notice of this Court that the present applicant - accused no.8, was avoiding service. A non-bailable warrant was issued by this Court, pursuant to which the said accused was taken in custody. Being in custody, now he seeks bail.

5 After having heard both sides and finding that action under Section 390 of the Code of Criminal Procedure is delayed on account of the tactics adopted by such person as this applicant, while enlarging him on bail, we are imposing following conditions.

6 Hence, the applicant is enlarged on bail on the following terms and conditions:-

:: ORDER ::

- (i) Criminal Application No.1500 of 2017 is allowed;

- (ii) The applicant is directed to be released on bail in connection with C.R.No.11 of 2011, registered with Mundhwa Police Station, District - Pune, on furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or more sureties in the like amount;
- (iii) The applicant is directed to report to Mundhwa Police Station, District - Pune, once in a week between 11.00 a.m. to 1.00 p.m., till further orders;
- (iv) The applicant shall furnish his complete address to the prosecution and investigating officer and until these directions are complied with, this order shall not take effect. The applicant shall submit proof of his present residential address either in the form of an electoral identity card or such other identification proof issued by the State. He shall not change his residential address during

the pendency of this proceeding without prior intimation to the investigating officer or the officer in-charge of the Mundhwa Police Station, Pune;

- (v) In view of the disposal of Bail Application No.1500 of 2017, Criminal Application No.1390 of 2017 also stands disposed of accordingly.

(SMT. BHARATI H. DANGRE, J.) (S.C. DHARMADHIKARI, J.)