

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

BAIL APPLICATION NO.2588 OF 2016

Shri Gorakh Shivaji Thorat ... Applicant

Vs.

The State of Maharashtra .. Respondent

Mr.B.S. Shinde for the Applicant

Mr.Prashant Jadhav, APP, for Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: JANUARY 10, 2017

P.C. :

1. Leave to amend the prayer clauses. Amendments to be carried out forthwith.
2. The applicant/accused has moved this application for releasing him on bail. The applicant/accused prays that the order of issuance of non-bailable warrant against the applicant passed by the learned JMFC dated 2.12.2015 as also the order dated 7.12.2016 passed by the learned Sessions Judge, Baramati refusing to cancel the non-bailable warrant is to be set aside.

3. The learned Counsel for the applicant/accused submits that the applicant was earlier granted bail by the Sessions Court in C.R. No.167 of 2002 for the offences punishable under sections 363, 366A r/w section 34 of the Indian Penal Code. The learned Counsel further submitted that the applicant/accused has given only shelter to the principal accused and the girl. He does not have any criminal record. He submits that the applicant/accused has committed mistake in not attending the Court dates as he was not aware of the same. However, now he undertakes that he will attend all the Court dates.

4. Learned Prosecutor has opposed the application. Perused the order dated 7.12.2016 passed by the learned Additional Sessions Judge, Baramati.

5. In view of the facts of the case and the submissions of the learned Counsel for the applicant/accused, the application is allowed. The non-bailable warrant issued against the applicant is set aside and the applicant/accused is released on bail as per the terms and conditions mentioned in the order dated 9.11.2012 passed by the learned Additional Sessions Judge in Bail Application No.664 of 2012, however, after the applicant/accused

furnishing a fresh bond of the same amount. Further, it is directed that the applicant/accused shall attend on all the Court dates hereafter.

6. Bail Application is disposed of on the above terms.

(MRIDULA BHATKAR, J.)