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

**CRIMINAL BAIL APPLICATION NO. 623 OF 2018
IN
CRIMINAL APPEAL NO. 823 OF 2011**

Mahadeo Rama Madhvi ... Applicant
Versus
The State of Maharashtra ... Respondent

Mr. Dilip Mishra for Applicant.
Ms. P.P. Shinde, APP for Respondent – State.

**CORAM: A.S. OKA AND
RIYAZ I. CHAGLA, JJ.**
DATED: 24TH APRIL, 2018.

PC:-

1. Heard the learned counsel appearing for the Applicant and the learned APP for the State. The Applicant who is the Appellant No.1 – Accused No.1 has been convicted for the offences punishable under Sections 143, 144, 147, 148, 149 and 302 of Indian Penal Code and he is undergoing life sentence. A prayer for grant of temporary bail is made on the ground that the Applicant wants to attend marriage of one Prashant Mali which is going to be solemnized on 6th May, 2018 at Village Chamtoli, Tal Ambarnath, Dist. Thane. In paragraph 10 of the application, the Applicant has stated that he is the maternal uncle of said Prashant and the said Prashant's father is no more and therefore, he will

have to perform some religious ceremony.

2. The learned APP has produced on record a report dated 24th April, 2018 signed by the Senior Police Inspector of NRI Sagari Police Station, New Bombay. The report along with accompanying documents disclose that the fact stated in the application as regards the marriage are correct. There is another report of the same date submitted by the same officer which records that except the offence subject matter of the Appeal, no other case has been registered against the Applicant.

3. Considering the aforesaid facts, a case is made out for grant of temporary bail subject to stringent conditions. Hence we pass following order :-

a) We direct that the Applicant be enlarged on temporary bail for the period of three weeks from 4th May, 2018 subject to furnishing bail bonds of Rs.50,000/- with one or two sureties in the like amount;

b) Temporary bail is granted subject to condition that Applicant will report to the Officer In-Charge / Senior Police Inspector of NRI Sagari Police Station, New Bombay twice a week;

c) On the failure of the Applicant to visit the Police Station

as directed above, it will be open for the State to apply for
cancellation of temporary bail;

d) The Application is disposed of.

(RIYAZ I. CHAGLA J.)

(A.S. OKA, J)