

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

CRIMINAL BAIL APPLICATION NO.1630 OF 2018

Vishnu Mahadeo Bandekar	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

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Mr.Yogesh T. Bamne, Advocate for the Applicant.
Mr.Y.Y. Dabke, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : AUGUST 24, 2018.

P.C. :

This is an application for bail in Crime No.12 of 2018, investigated by Crime Branch, EOW, Unit – I, for the offences punishable under Sections 255, 260, 419, 420, 465, 467, 468, 471, 120-B of IPC.

2 The applicant was arrested in 2015, and, thereafter, he was granted bail by the trial Court. Apparently, the applicant had attended the trial Court and for the period of about five month, the applicant did not attend the Court. Proclamation has been issued in the year 2017. Bail bond was forfeited on 12th July,

2017. Advocate for the applicant submits that the applicant was attending his ailing mother, and, therefore, could not attend the trial Court. He had gone to his native place. It is stated that from 2015 to 2017 he had attended the trial Court proceedings. Similar proclamation was also issued against the co-accused who has been granted bail by the Sessions Court vide order dated 8th December, 2017. It is submitted that the applicant would regularly attend the trial Court proceedings and would furnish his permanent place of residence. He has filed the affidavit of the brother in which it is stated that the brother is residing in the premises on basis of leave and licence agreement. It is also stated that the applicant is residing with him since last two years and in future if there is any change in residential address, the same will be intimated to EOW Unit-I. The applicant has also annexed copy of the Leave and Licence agreement executed between the brother of the applicant and owner of the premises where the applicant would reside along with his brother and other family members. Affidavit tendered by the advocate for the applicant is taken on record. Learned APP submitted that for a period of about 5 months the applicant was not traceable. He was absconding after he was granted bail, he failed to attend the trial Court proceedings. He has not furnished the permanent place of

residence and in the event he is granted bail, there is every likelihood that he will again abscond.

3 It is noted that the applicant was granted bail by the trial Court in the year 2015. Thereafter, he had attended the proceedings. For a period of about five months he did not appeared before the trial Court, which resulted in issuance of warrant followed by the forfeiture of bail bond and proclamation. The applicant is in custody since 19th April, 2018. The co-accused who was also arrested on execution of proclamation has been granted bail by the Sessions Court. The applicant has furnished his place of residence as stated hereinabove.

4 In the facts of the above, bail can be granted to the applicant on certain terms and conditions.

:: ORDER ::

- (i) Bail application no.1630 of 2018, is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R.No.12 of 2008, which is subject matter of Sessions Case No.856 of 2016, on

furnishing P.R. Bond in the sum of Rs.20,000/-, with one or two sureties in the like amount;

- (iii) The applicant to attend the EOW Unit - I, once in a month on the first Saturday of the month between 10:00 a.m. to 12:00 noon, till further orders;
- (iv) The applicant shall also attend the trial Court proceedings on every date of hearing unless exempted by the trial Court;
- (v) The applicant shall furnish the details of his address to the investigating officer;
- (vi) Criminal Bail Application No.1630 of 2018 stands disposed of.

(PRAKASH D. NAIK, J.)