

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO. 2380 OF 2018**

Pappu @ Hiranman Rambhau Sangade

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Satyavrat Joshi for the Applicant.

Smt. J.S. Lohokare APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 19th NOVEMBER, 2018.

P.C.:-

This is an Application under Section 439 of the Code of Criminal Procedure for bail in CR No. 18 of 2012 dated 5th February, 2012, registered with Junnar Police Station, District Pune under Sections 376, 420, 323 and 504 read with Section 34 of the Indian Penal Code, now culminated into Sessions Case No. 148 of 2014.

2 Heard the learned counsel appearing for the Applicant at length and the learned APP. Perused the record.

3 The Applicant is an accused in CR No. 18 of 2012 registered with Junnar Police Station. The record indicates that, the Applicant was released on bail by the Trial Court on 21st March, 2012

and thereafter the police reported that, the Applicant was absconding. The Trial Court therefore, issued a Non-bailable warrant against the Applicant and also issued notice to the Surety. The surety filed an Application seeking his discharge, which was allowed by the Trial Court.

4 The Applicant thereafter has been arrested on 15th May, 2017. The record indicates that, the Applicant was absconding for period of 5 years and therefore, the trial of the present crime was unnecessarily prolonged. The Trial Court, in its impugned Order dated 29th March, 2018, has observed that, the background of the present case would clearly indicate that, if the Applicant is released on bail, he will definitely flee from justice and the case would unnecessarily prolonged. It is further observed that, the injustice would be caused to the informant and other accused persons.

5 In view of the fact that, the Applicant after being released on bail was absconding for a period of about 5 years, itself is a sufficient ground for denying the Applicant for bail. I find no merits in the Application.

Application is accordingly rejected.

6 As the crime in question is of the year 2012, the learned Additional Sessions Judge, Khed-Rajgurunagar seized of the Sessions Case No. 148 of 2014 is requested to expedite the hearing of the said case and to make an endeavour to conclude the same within a period of nine months from today.

7 All the concerned to act on the basis of an duly authenticated copy of this Order.

(A.S. GADKARI, J.)