

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**CRIMINAL APPLICATION (BA) 447 OF 2018**

(Jivan s/o. Prabhudas Surwade...vs.. State, thr PSO, PS, Civil Lines, Akola)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.*

*Court's or Judge's orders.*

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Shri A.S. Londhe, counsel for applicant.  
Shri V.A. Thakre, Addl. Public Prosecutor for respondent / State.

**CORAM: ROHIT B. DEO, J.**

**DATE: 4<sup>th</sup> June, 2018.**

Heard.

2           The applicant is charge-sheeted for offence punishable under section 143, 144, 147, 148, 149 and 307 of the Indian Penal Code read with section 4 & 25 of the Arms Act.

3           The applicant was released on bail. However, the applicant chose not to appear before the learned Trial Court and in the process committed violation of the conditions of bail. It is recorded by the learned Trial Court, and the position is not disputed, that non-bailable warrants were issued repeatedly against the applicant and the other accused.

4           It is further not in dispute that the trial against the applicant is separated.

5           Since the present applicant has misused the bail granted and has chosen not to appear before the Trial

Court, I do not see any infirmity in the Trial Court not exercising the discretion in favour of the applicant.

6           However, since the trial is pending since 2007, the learned Trial Court is requested to proceed with the trial on a day to day basis and preferably complete the trial within six months from today. Subject to the said direction, the application is rejected.

**JUDGE**

RS Belkhede