

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (APPP) NO.1850/2018

IN

CRIMINAL APPLICATION (BA) NO.856/2018

Pralhad Ganpat Thengade

..Vs..

State of Maharashtra

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

Court's or Judge's orders

Shri V.R. Deshpande, Advocate for the applicant.
Shri T.A. Mirza, A.P.P. for the non-applicant.

CORAM : Z.A. HAQ, J.

DATE : 3.12.2018.

Heard.

The applicant had filed Criminal Application No.856/2018 before this Court praying that the non-applicant / State be directed to release him on bail, having been arrested in connection with Crime No.138/2018 for the offences punishable under Sections 302, 307 read with Section 34 of the Indian Penal Code. Two sons of the applicant are also accused and as informed by the learned Advocate for the applicant they are also in jail. By order dated 9th October, 2018 this Court considered the prayer of the applicant and directed that he be released on bail, however, on condition of furnishing cash security of Rs.2,00,000/-. Now this application is filed praying that the condition of furnishing cash security be relaxed. The non-applicant / State has filed affidavit-in-reply stating that the applicant

is having one house admeasuring 365 Sq. Ft. area and the annual income of the applicant is Rs.20,000/-. From the facts brought on record in reply filed on behalf of the non-applicant, it appears that the applicant is not in position to furnish cash security.

However, the learned A.P.P. opposes the present application submitting that there is a chance that the non-applicant may not be available for trial. Assurance is given on behalf of the prosecution that all possible efforts will be made to see that the trial concludes within three months.

Considering the rival submissions and the facts of the case, following order is passed:

- (i) The Sessions Court is directed to expedite the trial and conclude it within three months.
- (ii) The applicant is granted liberty to file fresh application, if the trial does not conclude within three months.

With the above directions, the criminal application is **disposed**.

JUDGE