

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

CRIMINAL APPLICATION NO. 8 OF 2019

Balbhim Namdev Bhange

...Applicant

Versus

State of Maharashtra

...Respondent

.....

Mr. Priyal G. Sarda for the Applicant.

Mr. Vinod Chate, APP for the Respondent -State.

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**CORAM: MRS.MRIDULA BHATKAR, J.
DATED: 09 JANUARY 2019**

P.C.:

1. Upon urgent mentioning, taken on production board.
2. This Criminal Application is directed against the order dated 7th December, 2018 passed by the learned Additional Sessions Judge, Solapur, thereby rejecting the application below exhibit 28 in Sessions Case No. 266 of 2017. By the said order, the learned Sessions Judge cancelled the bail bond and directed to issue NBW against the applicant and notice to surety.

3. The learned counsel for the applicant submits that the applicant, who is original accused No.5, has been remained present on the earlier dates, but he could not remain present on 7th December, 2018 and the earlier date. He further submits that the applicant moved an application for exemption on 7th December, 2018, however, it was rejected. He further submits that the applicant is available and he will remain present on the next date. He further submits that the applicant shall attend all the court dates hereafter. He informs that now the matter is fixed before the Sessions Court on 22nd January, 2019.

4. The learned APP submits to the order passed by this Court.

5. In view of above, I allow this Criminal Application with following order :-

ORDER

- (a) The order dated 7th December, 2018 passed by the learned Additional Sessions Judge, Solapur in Sessions Case No. 266 of 2017 is hereby quashed and set aside;
- (b) The applicant shall remain present on 22nd January, 2019 before the Sessions Court;

- (c) The applicant shall co-operate in the proceedings and shall not remain absent without permission of the Sessions Court.

(MRIDULA BHATKAR, J.)