

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.23 OF 2019
IN
CRIMINAL BAIL APPLICATION NO.2073 OF 2018

1. Ashish Lakhan Bhuiyya,

2. Y.R.Manje Raje Gouda

Applicants

versus

The State of Maharashtra

Respondents

Mr.P.R.Dave for applicants.

Mr.Prashant Jadhav, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 8th January 2019

PC :

1. The applicant was directed to be released on bail by order dated 21st September 2018 passed in Bail Application No.2073 of 2018. In accordance with the said order, the applicants were directed to be released on bail on furnishing PR bond in the sum of Rs.25,000/- each with one or more sureties in the like amount. Learned advocate for applicants submits that the applicants have furnished requisite documents for execution of surety bonds. However, it is still in process and it would take time. Although the applicants are granted bail by order dated 21st September 2018, the applicants are languishing in jail. Reliance is placed on the decision of this Court in case of Sajal Kumar Mitra and others Vs. State of Maharashtra reported in 2011-ALL MR (Cri)-1129 and submitted that provisional cash bail may be granted to the applicants to enable them to furnish sureties. The applicants have also annexed documents in relation to their identity and residential premises to show the place of their residence.

2. Learned APP submitted that permanent place of residence of the applicants is in Bihar and Karnataka States respectively.

3. It is noted that the applicants were granted bail by order dated 21st September 2018 and they are continued to be in custody for want of furnishing sureties. In the circumstances, I pass following order :

ORDER

(i) The applicants are permitted to furnish cash security in the sum of Rs.25,000/- each for a period of eight weeks to enable them to furnish sureties in accordance with order dated 21st September 2018;

(ii) After the applicants are released on cash bail, the applicants shall report D.B.Marg Police Station once in a week on every Saturday between 10 am and 12 noon till sureties are furnished and accepted by the Trial Court; and thereafter the applicants shall attend the D.B.Marg Police Station as per directions contained in condition no.(ii) of order dated 21st September 2018;

(iii) Criminal Application No.23 of 2019 is disposed off.

(PRAKASH D. NAIK, J.)

MST