

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

**CRIMINAL APPLICATION NO.140 OF 2019
IN
CRIMINAL APPLICATION NO. 1939 OF 2018
IN
CRIMINAL APPEAL NO. 1181 OF 2018**

Kalpesh Rahul Mohite
Age : 28 years, Occ.: Nil,
R/o : At Shiv Sai Seva Sangh,
Kholi No. 86, Behind Bldg. Nos. 7 & 8,
Ambedkar Nagar, Bandra (East),
Mumbai

.... Applicant

Vs.

The State of Maharashtra

.... Respondent

(At the instance of Nirmal Nagar
Police Station).

Mr. Sunil Lalla a/w Ms. Preeti Mahanta I/by Mr. Prashant G. Pandey
for the Applicant.

Mr. Y.M. Nakhwa APP for the State.

Coram : Smt. Sadhana S. Jadhav, J.
Date : 5th February 2019

P.C.:

1 This is an application seeking extension of time for
completion of the process to furnish surety in the trial Court. The

applicant herein had filed a Criminal Application No.1939 of 2018 under Section 389 of Code of Criminal Procedure seeking enlargement on bail during the pendency of the appeal. This Court, by an order dated 11th December 2018 had enlarged the applicant on bail. This Court was further pleased to enlarge the applicant by furnishing cash surety for a period of six weeks, within which period he shall furnish P.R. bond and solvent sureties.

2 It is submitted that the applicant desires to furnish surety, who is the holder of the properties situated in Shirur (Kasar), District Beed, State of Maharashtra. The sureties were in fact furnished on 22nd January 2019, however, the process of verification has taken a long time and therefore an application seeking extension of time.

3 Learned counsel for the applicant has placed on record a copy of declaration of the person, who has filed solvent sureties. The said certificate is issued by the Talsildar of Shirur (Kasar). It is submitted across the bar that the said surety namely Baban Bhikaji

Jawale has not stood surety to any other person as on today and therefore, he is eligible to stand as surety to the present applicant. The copy of the declaration as well as the certificates issued under Section 8(A) of the Maharashtra Land Revenue Code issued by Talathi, Saja Shirur (Ka) are taken on record and marked "X" for the purpose of identification. In view of this, the time is extended by six weeks, by way of last chance.

4 The learned Sessions Court (Special Court), Greater Mumbai shall verify the documents and after due verification shall accept the solvent sureties. The application stands disposed of.

(Smt. Sadhana S. Jadhav, J)