

Anand

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

BAIL APPLICATION NO. 790 OF 2019

Vikas Girja Singh .Applicant

Vs.

The State of Maharashtra .Respondent

Mr. Prabhanjay R. Dave, Advocate, for the Applicant

Mrs. P. P. Shinde, APP, for the Respondent – State

Mr. Valmik Dhorkule, PSI, D B Marg Police Station, Mumbai
present

CORAM : REVATI MOHITE DERE, J.

DATE : 24.06.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. 291 of 2014 registered with the D B Marg Police Station, Mumbai, for the alleged offences punishable under Section 370(3) r/w 34 of the Indian Penal Code and under Sections 3, 4, 5 & 6 of the Immoral Traffic (Prevention) Act.

3. Perused the papers. The Applicant was arrested in connection with the aforesaid C. R. on 01.10.2014. The Applicant was enlarged on bail on 10.10.2014. After investigation, charge-sheet was filed as against the Applicant. It appears that as the Applicant failed to attend the Court, the learned Sessions Judge issued a non-bailable warrant against the Applicant on 28.12.2017. Pursuant to the NBW, the Applicant was arrested on 07.08.2018. It appears that the Applicant had preferred two Applications seeking his enlargement on bail, however, the said Applications were rejected by the learned Sessions Judge vide orders dated 13.08.2018 & 01.03.2019.

4. Learned counsel for the Applicant has tendered an Affidavit of the Applicant. The same is taken on record and marked as "X" for identification. In the said Affidavit, the Applicant has undertaken that he will attend the Sessions Court regularly on each and every date, on his release from jail. He has also undertaken to attend the D B Marg Police Station. The Applicant is in custody since 07.08.2018. It appears that the trial

has commenced and PW.1 is in the witness box.

5. In the facts and having regard to the Affidavit of the Applicant, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions :-

ORDER

(i) The Applicant be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 15,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the D B Marg Police Station **on every Monday & Friday** from **10.00 a. m. to 11.00 a. m.** unless, the Applicant is required to attend the Court on those days;

(iii) The Applicant shall attend the trial Court on every date given by the trial Court unless exempted;

(iv) A copy of the Affidavit to be placed by the Applicant on the record of the learned Sessions Judge;

(v) Since the trial has commenced, the learned Sessions Judge to conclude the case as expeditiously as possible;

(vi) If the Applicant fails to attend the trial Court, the

prosecution shall be at liberty to seek cancellation of the Applicant's bail.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)