

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

CRIMINAL BAIL APPLICATION NO.1400 OF 2019

Lalsar @ Rajesh Bhadurprasad Paswan Applicant

versus

The State of Maharashtra Respondent

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- Mr.Ranjeet H. Patil, Advocate for Applicant.
- Mr.S.H. Yadav, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 25th JUNE, 2019

P.C. :

1. The Applicant is seeking bail in connection with C.R.No.121/14 registered with Uran Police Station, Raigad, under sections 407, 413 r/w 34 of the Indian Penal Code.
2. The investigation has resulted in RCC No.91/15 before the JMFC, Uran. It is the case of prosecution that the Applicant had not attended the trial Court on consecutive dates and therefore non-bailable warrant was issued against him. He was

taken in custody. The learned Magistrate and the Sessions Court refused to grant him bail. Therefore the Applicant has preferred the present application.

3. Heard learned Counsel Mr.Ranjeet H. Patil for the Applicant and learned APP Mr.S.H. Yadav for the State.

4. The Applicant was granted bail in this case by the JMFC, Uran, vide his order dated 11/07/2014. Since then the investigation is over and the matter is pending before the trial Court. From the order passed by the Sessions Court it appears that the Applicant had appeared before the trial Court on 06/10/2018 and thereafter he did not remain present and was taken in custody. The Applicant has annexed agreement for sale which showed that he had purchased the property in Taloja, MIDC. Learned Counsel for the Applicant states that he is running business in that property. Therefore he is not likely to abscond.

5. Considering that the Applicant was granted bail in 2014 and even in October 2018 he had appeared before the Court for getting warrant cancelled, it shows that the Applicant is available for the trial. However, his absence raises reasonable apprehension that unless put to some conditions, he will continue to remain absent before the trial Court. Looking at the facts and circumstances of the case and also considering the fact that though trial was triable by the Court of Sessions, it has not been committed to the Court of Sessions so far. In this view of the matter, I am inclined to release the Applicant on bail on some conditions. Hence, the following order :

ORDER

- (i) The Applicant is directed to be released on bail in connection with C.R.No.121/14 registered with Uran Police Station, Raigad, on his furnishing PR bond in the sum of Rs.50,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.

- (ii) The Applicant shall attend Uran Police Station, Raigad, on every alternate Sunday between 03.00 to 04.00 p.m. till further orders. The Applicant shall attend every single date before the trial Court.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)