

Vidya Amin.

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

CRIMINAL BAIL APPLICATION NO. 1473 OF 2019

Mustafa Hamja Shaikh	...	Applicant
VS.		
The State of Maharashtra	...	Respondent

Mr. Sumeel Vankadkar, Advocate for the applicant.
Mr. A.A. Palkar, APP for the respondent/State.

**CORAM: REVATI MOHITE DERE, J.
DATED: 6th June, 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. 21 of 2015 registered with the Shahu Nagar Police Station for the alleged offences punishable under section 135 of Indian Electricity Act.

3. The FIR was registered on 12th June, 2015 and the applicant was also arrested on the same day, i.e., 12th June, 2015. The applicant was thereafter enlarged on bail by the concerned Court on 13th June, 2015. After investigation, charge-sheet was filed as against the applicant for the offence punishable under

section 135 of the Indian Electricity Act. It appears that thereafter non-bailable warrant was issued as against the applicant, as he failed to appear before the concerned Court, when the matter was kept for framing of charge, pursuant to which the applicant was arrested.

4. Learned counsel for the applicant submits that the applicant could not appear before the concerned Court, as his niece had expired. He, however, expresses his regret that even his advocate could not appear and hence the learned Judge was left with no option but to issue a non-bailable warrant. Learned counsel, on instructions, submits that the applicant will attend the concerned Court on the dates given by the Court and that he will give no occasion for the Court to again issue a non-bailable warrant against him.

5. The statement made by learned counsel for the applicant is accepted.

6. Having regard to the aforesaid, the Application is allowed and the applicant is enlarged on bail on the following

terms and conditions:

ORDER

- (i) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/-, with one or two local sureties in the like amount;
- (ii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police station, in writing;
- (iii) The applicant shall not tamper with the evidence or attempt to intimidate/influence/contact the complainant, witnesses or any person concerned with the case;
- (iv) The applicant undertakes to cooperate in the conduct of the trial and to remain present as and when directed by the concerned Court;
- (v) An undertaking to the aforesaid clauses (ii) to (iv) shall be filed by the applicants, in the Registry of

the trial Court, within two weeks of his release.

7. The Application is allowed and disposed of in above terms.

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

(REVATI MOHITE DERE, J.)