

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

**CRIMINAL BAIL APPLICATION NO. 2243 OF 2019**

|                              |     |            |
|------------------------------|-----|------------|
| Vinodkumar Brijmohan Jaiswar | ... | Applicant  |
| V/s                          |     |            |
| The State of Maharashtra     | ... | Respondent |

Mr. Bhushan U. Deshmukh, for the Applicant.  
Mr. S.H. Yadav, APP for the State-Respondent.

**CORAM : PRAKASH D. NAIK, J.**

**DATE : 7<sup>th</sup> November, 2019**

**PC :**

. This is an application for bail in connection with Sessions Case No. 38 of 2018 pending before the Additional Sessions Judge, Niphad, for the offences punishable under Sections 394 and 395 of the Indian Penal Code ("IPC", for short).

2 The First Information Report ("FIR" for short) was registered on 10/03/2015. The applicant was subsequently granted bail. Thereafter, the case was committed to the Court of Sessions after filing of charge-sheet. The roznama has been annexed to this application which would indicate that the applicant was absent before the committal court on

27/09/2018, however, he attended the court on 01/11/2018. The applicant was absent on 22/03/2019 and 29/05/2019. The trial Court was pleased to issue warrant against the applicant. On 19/06/2019, when the applicant attended the Court, he was taken into custody. The applicant preferred an application for bail which has been rejected by order dated 19/07/2019.

3 On perusal of the record, it is clear that the applicant was granted bail. The FIR was registered in 2015. Subsequently, the case was committed to the Court of Sessions. The applicant had indeed appeared the said Court after committal, however, on two occasions he was absent. He also preferred an application for bail after he is taken into custody. Taking into consideration the aforesaid circumstances, on certain terms and conditions the applicant can be granted bail. Hence, the order as follows:-

### **ORDER**

- (i) Bail Application No. 2243 of 2019 is allowed;
- (ii) The applicant is directed to be released on bail in connection with Sessions Case No. 38 of 2018 pending before the Additional Sessions Judge, Niphad on his furnishing PR Bond in the sum of Rs.20,000/-, with

one or more sureties in the like amount;

(iii) The applicant shall regularly attend the trial court on the date of the hearing of the case.

(iv) Bail Application stands disposed of.

**(PRAKASH D. NAIK, J.)**