

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2425 OF 2019**

Arvind @ Arjun Shekhar Kupaswami Devendra ...Applicant

Versus

The State of Maharashtra

...Respondent

Ms. Kamini Yadav i/b Mr. R. B. Gupta for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

PSI Mr. S. A. Sonawane from Wadala T. T. Police Station, is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 18th OCTOBER 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 642 of 2015 registered with the Wadala Truck Terminal Police Station, for the alleged offences punishable under Sections 307, 34 of the Indian Penal Code.

3 Perused the papers. It is not in dispute that learned Additional Sessions Judge enlarged the applicant on bail vide order dated 29th April 2016 on the applicant executing PR bond of Rs. 25,000/- with one or more sureties in the like amount. Pursuant thereto, the applicant deposited cash bail of Rs. 25,000/- in the Registry of the Sessions Court, however, did not

produce surety as directed within two months i.e. on or before 29th June 2016. It appears that the applicant's trial commenced and as the applicant was absent, arrest warrant was issued as against the applicant, as he had failed to furnish sureties as directed.

4 Learned counsel for the applicant has tendered an affidavit of the applicant, wherein the applicant has undertaken to furnish sureties as directed by the Sessions Court vide order dated 29th April 2016. The applicant has undertaken to appear on each and every date before the learned Sessions Judge. The said affidavit is taken on record and marked 'X' for identification.

5 In view of the aforesaid, the application is allowed on the following terms and conditions :

ORDER

- (i) The applicant be released on cash bail in the sum of Rs. 25,000/-, for a period of six weeks;
- (ii) The applicant shall within the said period of six weeks, furnish P.R. Bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;

(iii) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Officer of the concerned Police Station;

(iv) The applicant to cooperate with the conduct of the trial and attend all the dates before the trial Court, unless exempted;

(v) The applicant to comply with the rest of the conditions imposed by the learned Additional Sessions Judge vide order dated 29th April 2016.

6 The application is accordingly disposed of.

7 It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

REVATI MOHITE DERE, J.