

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO. 73 OF 2019
(Bunty @ Kamlesh Ravi Hate .v. State of Maharashtra)

Office Notes, Office Memoranda of Coram
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's Orders

Shri Nitesh Samundre, Advocate for the applicant.
Shri H.D. Dubey, APP for the respondent/State.

CORAM : M.G. GIRATKAR, J.
04TH MARCH, 2019.

Heard.

Shri Samundre, learned Counsel for the applicant has pointed out the documents in respect of medical treatment of the applicant. He has submitted that because of illness, the applicant could not remain present before the Court. Therefore, Non Bailable Warrant was issued.

Shri Dubey, learned APP has strongly objected the application and submitted that the application is liable to be rejected.

Learned trial Court in para 6 of the order has observed that on 07.08.2018, accused remained absent. His Counsel not filed any application for exemption and also not taken part in the proceedings to cross examine the witness. The applicant was already on bail. He is in jail since 24th May, 2018.

Looking to the medical documents, it appears that the applicant was not in a position to remain present before the Court. Therefore, the application is allowed. The applicant be released on bail on furnishing PR bond of Rs.25,000/- (rupees twenty-five thousand only) with one solvent surety in the like amount, on the following conditions.

The applicant shall attend the trial Court on each and every date.

In case the applicant fails to remain present even on single date, the trial Court is at liberty to cancel the bail granted to the applicant.

Criminal Application stands disposed of accordingly.

JUDGE

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