

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

Criminal Application (ABA) No. 200 of 2019

Jitendra Singh Baghel

Vs.

State of Mah. Through PSO, Sadar, Nagpur.

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

Court's or Judge's orders

Mr. P.S. Jaiswal, Advocate for applicant
Mr. N.R. Rode, APP for non-applicant.

CORAM : MANISH PITALE, J.

DATED : JUNE 03, 2019

The applicant herein is accused in an offence alleged to have occurred in the year 1999. The first information report in the present case was registered on 23/03/1999 in Police Station Sadar Dist. Nagpur against the applicant and three other accused persons. It appears that the applicant and other accused were absconding, due to which investigation was hampered and chargesheet had to be filed showing them as absconding.

2. It is pointed out by the learned counsel for the applicant that the other three accused have been enlarged either on regular bail or anticipatory bail. An order dated 11/05/2018 has been placed on record as Annexure -5 to the application showing that co-accused Rajeshgiri Goswami was granted anticipatory bail by the Sessions Court at Nagpur.

3. In the present case also on 03/04/2019, this Court granted ad-interim anticipatory bail to the applicant on certain conditions. It appears that the main reason why the anticipatory

bail application of applicant stood rejected by the Sessions Court by order dated 28/03/2019, was that the applicant had remained absconding and that it was necessary to take him in custody for unravelling the manner in which the offence was committed. It is stated that pursuant to the order dated 03/04/2019, passed by this Court, the applicant has indeed attended Police Station Sadar on every Sunday and that there has been no default.

4. Considering the fact that offence pertains to the year 1999, as also fact that all other co-accused are on bail, the present application deserves to be allowed, subject to the applicant cooperating with the proceedings before the Trial Court.

5. Accordingly, the present application stands allowed and it is directed that in the event the applicant is arrested in Crime No. 244 of 1999, registered with Police Station Sadar, Nagpur, he shall be released on bail on furnishing PR bond of sum of Rs.25,000/- with solvent surety in like amount, on further condition that the applicant shall make himself available before the Investigating agency or the Trial Court as the case may be and that he would fully co-operate with the investigating agency. It is made clear that the applicant shall attend the proceedings before the Trial Court on every date till the completion of the trial. Investigating agency would be at liberty to summon the applicant if it deems fit and as stated above, the applicant shall fully co-operate with the investigating agency. In view of above, the present application stands allowed.

JUDGE