

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

CRIMINAL BAIL APPLICATION NO. 411 OF 2020

Bipin Vishnu More	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. R. M. Haridas, Advocate for the Applicant.
Smt. Rutuja Ambekar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.
DATE : 16th MARCH, 2020

PC :

1. This is an application for bail in C.R. No. 154 of 2015 registered with Cuff-Parade Police Station, Mumbai for offences punishable under Sections 459, 452, 457, 380 and 511 of Indian Penal Code.
2. The FIR was registered on 31st August, 2015. Subsequently investigation is completed and charge-sheet is filed. The applicant was granted bail and the proceedings are pending before the Sessions Court. Since the applicant was absent, non bailable warrant was issued against him. He was arrested on 3rd October, 2019.
3. The applicant preferred an application before the Sessions Court, the said application was rejected by order dated 13th January, 2020.
4. Learned counsel for the applicant submitted that the applicant

was attending Court regularly till framing of charge-sheet. Thereafter applicant could not attend the Court. There is no intention to abscond or avoid proceedings.

5. Learned APP submitted that the applicant has no fixed place of residence. In the event bail is granted to him he would abscond. The charge was framed against him, he remained absent. Warrant was required to be issued against him. He was arrested on executing the non bailable warrant.

6. Learned counsel for the applicant tendered the affidavit of wife of the applicant. She is present in the Court. In the affidavit it is stated that the applicant would reside with her at the address stated in affidavit. The affidavit is taken on record.

7. The FIR was registered in 2015. The applicant was granted bail on 2nd June, 2016. Charge-sheet was filed and the proceedings were pending before the concerned Court. The charge was framed on 22nd June, 2018. Thereafter the applicant did not remain present before the Court. Considering the nature of offence and fact that he was granted bail and he was taken in custody on execution of non bailable warrant on 3rd October, 2019 and since then he is in custody, and also considering the affidavit filed by the wife of the applicant, bail can be granted to the applicant.

8. Hence, I pass the following order :

ORDER

- i) Bail Application No. 411 of 2020 is allowed;
- ii) The applicant is directed to be released on bail in connection with C.R. No. 154 of 2015 registered with Cuff-Parade Police Station, Mumbai on furnishing PR. bond in the sum of Rs. 20,000/- with one or more sureties in the like amount;
- iii) The applicant shall report concerned police station once in a month on every first Saturday between 11.00 am. to 1.00 pm. till further order.
- iv) The applicant shall furnish the details of his address and contact numbers to the Investigating Officer after he is released on bail.
- v) In the event there is change in the address of the applicant, the same shall be intimated to the Investigating Officer.
- vi) The applicant shall attend Trial Court regularly on the date of hearing of the case unless exempted by the Court for some reason.
- vii) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)