

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

CRIMINAL BAIL APPLICATION NO. 2453 OF 2019

Laxman Sitaram Pitale

...Applicant

V/s

The State of Maharashtra

...Respondent

Mr. Satyavrat Joshi a/w. Nitesh J. Mohite a/w. Sagar Tambe
for the applicant.

Mr. M. G. Patil, APP for the State/respondent.

CORAM : PRAKASH D. NAIK, J.

DATE : 23rd JANUARY, 2020

PC :

1. This is an application for bail in connection with CR. No. 18 of 2012 registered with Manchar Police Station, Pune for the offences punishable under Sections 395, 397, 120(B) of Indian Penal Code, 1860 ('IPC' for short).

2. Applicant was granted bail by the Additional Sessions Judge, Pune vide order dated 4th February, 2012. While granting bail, it was observed that, the co-accused was granted bail. The First Information Report ('FIR' for short) do not disclose the role of applicant. Investigation is completed.

3. Charge-sheet was filed and proceeding are pending before the Sessions Court, Pune. The applicant did not remain present before the Trial Court. Hence, warrant was issued against him. Applicant was arrested after period of about three and half years. Applicant has preferred an application for bail before Sessions Court. However, same was rejected by order dated 14.05.2019.

4. Learned counsel for the applicant submitted that the applicant is the resident of Parbhani. FIR was registered with Manchar Police Station, Pune. Applicant is willing to furnish local solvent surety. In the event, bail is granted, Court may impose condition that the applicant shall not leave Pune, till the conclusion of the trial.

5. Learned APP submitted that, the applicant did not attend the Court for long time. There is no guarantee that the applicant would be available for trial in the event bail is granted to him. I have perused the order granting bail as referred to above. While granting bail, Court had considered that the FIR do not disclose any role to the applicant. Co-accused were granted bail. Applicant is the resident of Parbhani. The applicant is in custody from date of arrest

after issuance of warrant for not remaining present before Court. Hence, bail can be granted on certain terms and conditions.

6. Hence, I pass the following order:

ORDER

- (i) Bail Application No. 2453 of 2019, is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R. No. 18 of 2012, registered with Manchar Police Station, Pune, on his furnishing P.R. Bond in the sum of Rs.30,000/-, with one local solvent surety in the like amount;
- (iii) The applicant shall report Manchar Police Station, once in a month on first Saturday of every month between 10.00 to 1.00 p.m. till further order;
- (iv) The applicant shall regularly attend the Trial Court on date of hearing unless exempted by the Court for some reason;
- (v) The applicant shall not leave the jurisdiction of Pune without permission of the Trial Court.
- (iv) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)