

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

CRIMINAL APPLICATION (BA) NO.94 OF 2020

(Mohd. Sadique s/o Gulam Murtuza Vs. State of Maharashtra thr. PSO PS Anjangaon
Surji, District Amravati)

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

Court's or Judge's orders.

Shri V.U. Waghmare, Advocate for Applicant.
Shri S.M. Ghodeswar, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 3rd MARCH, 2020.

The applicant is arrested for offence punishable under Section 307 of the Indian Penal Code and is custody since 11.10.2019. The investigation is complete and the charge-sheet is filed.

2] Ordinarily, considering the material on record, I would have no hesitation in releasing the applicant on bail. However, the case of the prosecution is that the applicant absconded and was arrested only after one year and six months. The incident occurred on 14.03.2018 and the arrest is on 11.10.2019. In the charge-sheet, the material which is relied on to show that the applicant absconded is the certificate issued by the Nagar Parishad.

3] The apprehension of the prosecution that the applicant may abscond is not unfounded and shall have to be allayed.

4] Stringent conditions shall have to be imposed to ensure that the applicant is available to face the trial.

5] The applicant be released on bail subject to furnishing personal bond of Rs.1 lakh and two sureties of like amount who shall be respectable residence of Amravati District. The trial court shall satisfy itself that the sureties are respectable persons who have no criminal antecedents and who have roots in the society.

6] The applicant shall report at Police Station Anjangaon Surji, District Amravati every Monday 11:00 a.m. to 01:00 p.m. till the conclusion of the trial.

7] It is made clear that if there is any breach of the bail conditions, the bail may be cancelled.

JUDGE