

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

LD-VC-CRI. BAIL APPLICATION NO. 159/2020

Ritesh S/o Ganesh Kamble (In Jail),
..VS..

The State of Maharashtra, through P.S.O., Police Station Ramdaspath, Akola. Dist. Akola.

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

Court's or Judge's orders

Mr. A. S. Londhe, Advocate for applicant.
Mrs. S. V. Kolhe, A.P.P. for non-applicant.

CORAM : N. W. SAMBRE, J.

DATED : 09.07.2020

1. Hearing was conducted through Video Conferencing and all the learned Advocates agreed that the audio and visual quality was proper.

2. Heard Shri A. S. Londhe, learned counsel for the applicant and Mrs. S. V. Kolhe, learned APP for the non-applicant.

3. The applicant is seeking grant of bail in Crime No. 94 of 2014. On 22.07.2016, in Sessions Trial No. 192 of 2014 charge was framed against the applicant for an offence punishable under Sections 363, 366(A), 376 and 372 read with Section 34 of Indian Penal Code with Sections 4 and 8 of the Protection of Children from Sexual Offence Act, 2012.

4. Since the said Sessions Trial reached at the

stage on recording of evidence and applicant remained absent before the learned Sessions Court, non bailable warrant was issued in Sessions Case No.192/2014.

5. Since the applicant pursuant to the non bailable warrant appeared before Sessions Court. Learned Sessions Court considering the conduct of remaining consistently absent before the Sessions Court and cancelled his bail. The applicant is presently in M.C.R.

6. The applicant's prayer for releasing him on bail came to be rejected by the Sessions Court subsequent thereto.

7. Shri A. S. Londhe, learned Counsel for the applicant assures that, on whatsoever ground, the applicant shall not remain absent before the Sessions Court and shall cooperate the Sessions Court in expedite disposal of sessions trial as same is more than five years old. He would urge that said statement can be recorded as an undertaking.

8. In that view of the matter, the applicant herein is directed to be released on executing P.R. bond of Rs.25,000/- with one or more sureties in the like amount. If the applicant fails to honour the undertaking hereinabove, the Sessions Court will at liberty to take the applicant in M.C.R. by issuing non bailable warrant, if so required.

9. The application stands **allowed** in above terms.

10. This order be communicated to the counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

Kirtak