

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

***INTERIM APPLICATION NO.1377 OF 2021
IN
INTERIM APPLICATION NO.814 OF 2021
IN
INTERIM APPLICATION NO.40 OF 2021
IN
INTERIM APPLICATION NO.906 OF 2019
IN
CRIMINAL APPEAL NO. 1052 OF 2019***

Shantiprasad Veniprasad Yadav	...Applicant/Appellant
Versus	
The State of Maharashtra	...Respondent

***WITH
CRIMINAL APPEAL NO. 1029 OF 2019***

Narayan Mangal Karan @ Nepali	...Appellant
Versus	
The State of Maharashtra	...Respondent

Mr. Prashant Gurav for the Applicant/Appellant in Appeal/1052/2019

None for the Appellant in Appeal/1029/2019

Mr. P. H. Gaikwad-Patil, A.P.P for the Respondent–State

**CORAM : REVATI MOHITE DERE, J.
(THROUGH VIDEO-CONFERENCING)
WEDNESDAY, 16th JUNE 2021**

P.C. :

1 Mr. Prashant Gurav, learned counsel for the applicant in Interim Application No. 1377/2021, at the outset, does not press the alternative prayer and only presses for the following prayers :

- “i) *The present Application be allowed.*
- ii) *The Time to furnish Surety may kindly be extended further by 8 weeks time in I.A. No. 1 of 2019 in Cri. Appeal No. 1052 of 2019.”*

2 Learned counsel for the applicant submits that the applicant is unable to find a competent surety for himself, as he is a native of Uttar Pradesh and having regard to the present pandemic, his acquaintances in his native States are not willing to visit Mumbai.

3 Perused the papers. This Court (Coram : Prakash D. Naik, J.) vide order dated 25th September 2020, suspended the applicant’s sentence and he was enlarged on certain conditions. As per clause (ii) of the said order, the sentence of imprisonment awarded to the applicant was suspended during the pendency of his appeal and he was directed to be released on bail on executing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount. As per clause (v) of the said order, the

applicant was directed to be released on provisional cash bail of Rs.25,000/- and he was directed to furnish surety within 8 weeks from the date of his release.

4 As the applicant could not comply with clause (v) i.e. he could not furnish surety within 8 weeks, the applicant sought extension of time to furnish surety and to extend the facility of cash bail. Accordingly, this Court, vide order dated 7th January 2021 (Coram : Prakash D. Naik, J.) extended the facility of cash bail for a period of 8 weeks in order to enable the applicant to comply with the direction of furnishing surety.

5 As the applicant was unable to furnish surety within the said extended period, the applicant filed another application for further extension for furnishing surety. Accordingly, this Court (Coram : Revati Mohite Dere, J.) vide order dated 5th March 2021, extended the facility of cash bail by a period of 8 weeks, so as to enable the applicant to furnish surety as directed by this Court vide order dated 25th September 2020.

6 This is the third extension sought by the applicant. Having regard to the reasons set out by the applicant, only by way of last chance and indulgence, time is extended by a period of 8 weeks from today, to

furnish surety as directed by this Court vide order dated 25th September 2020. It is made clear that no further extension would be granted.

7 Interim Application No. 1377 of 2021 is accordingly disposed
of.

8 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.