

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 795 OF 2022
IN
CRIMINAL APPEAL NO. 603 OF 2018

Wilson John Salvodar Pinto and Ors. ... Applicants/Appellants

V/s.

The State of Maharashtra ... Respondent

Ms. Rashmi Gavade advocate for the appellant.

Mr. Arfan Sait- APP for the respondent / State.

Mr. Kuldeep Patil for CBI-respondent.

CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 15, 2022.

PC. :

. This is application for modification of order dated 19th March 2018 passed by this Court in Criminal Application No. 5 of 2018.

2. The State of Maharashtra has preferred Criminal Appeal No. 603 of 2018 challenging the judgment and order dated 21st September 2017 passed by the Additional Sessions Judge, Greater Bombay. The applicants are original accused nos. 2, 3, 5 and 6.

3. By order dated 19th March 2018, the appeal against acquittal was admitted by this Court action under section 390 of Cr.P.C. The trial Court was directed to release the applicants (original

respondents) on bail on their furnishing PR. Bond of Rs. 25,000/- each with one or two separate solvent local sureties in the like amount.

4. Apparently, the order dated 19th March 2019 was not complied. This Court had directed issuance of non-bailable warrant against the original respondents (applicants) for non compliance of the order dated 19th March 2018.

5. Learned advocate for the applicants submitted that the applicants are acquitted they are not in a position to make arrangement of furnishing sureties in the like amount of Rs. 25,000/- each and hence they may be released on PR. bonds with sureties.

6. Learned APP submitted that the applicant had failed to comply the order of this Court since 2018. This Court was constrained to issue non-bailable warrant against them.

7. It is noted that the applicants are acquitted by the trial Court. The appeal is preferred by the State of Maharashtra. The appeal has been admitted. The applicants could not arrange the sureties in the sum of Rs. 25,000/- each accordingly order dated 19th March 2018.

8. Considering these circumstances, the order dated 19th March 2018 is modified as follows:-

ORDER

- i. The order dated 19th March 2018 passed by this Court

in Criminal Application No. 5 of 2018 is modified.

ii. The applicants (original respondents) are directed to be released on bail on furnishing cash bail in the sum of Rs. 10,000/- each.

iii. Cash bail in the sum of Rs. 10,000/- each is allowed to be deposited in the trial Court for a period of three weeks.

9. Application stands disposed of.

(PRAKASH D. NAIK, J)