

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

CRIMINAL APPLICATION (BA) NO. 1270/2021

**Ramkrishna Premchand Dubey and anr..Versus... State of Maharashtra and
anr**

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

Court's or Judge's orders

Ms. Mallika Goenka, Advocate applicants
Mr. S.Mghodeswar, APP for Respondent/State

CORAM : AVINASH G. GHAROTE, J.

DATE : 10/01/2022

Heard Ms. Goenka, learned counsel for the applicants and Mr. Ghodeswar, learned APP for respondent/State.

The applicants are seeking bail in Crime No. 57/1999 registered at Police Station Deulgaon Raja under Sections 406, 420 r/w 34 of the IPC and Section 3 of the MPID Act. There are as many as 26 crimes registered against the applicants and in most of them they have been released on bail by this Court. This Court has already directed all the trials to be conducted by the MPID Court at Nagpur and on the earlier occasions the applicants have been released on bail in Criminal Application No. 996/2021 on 6.10.2021, Criminal Application No.984/2021 on 6.10.2021 and Criminal Application No. 958/2021 on 06.10.2021.

Ms. Goenka, learned counsel for the applicants submits that the facts are identical to the above applications in which the applicants have already been released on bail, the charge-sheet has already been filed and the investigation is complete. The applicants as a condition of bail have been directed not to leave the territorial limits of the Nagpur Municipal Corporation unless permitted to do so by MPID Court and therefore, the applicants be released on bail, subject to such conditions as may be deem fit and proper by this Court.

Learned APP opposes the same on the ground that the applicants were arrested after a considerable period of time of more than 20 years and therefore there is every apprehension of their absconding.

The applicants already stand released in the crimes of an identical nature by this Court as recorded above. The charge-sheet is already filed and investigation is already complete. Mr. Goenka, learned counsel for the applicants, makes a statement that the trial is going on, considering which the applicants can be released on bail on the same terms and conditions as has been imposed upon them while releasing them earlier, in view of which the application is allowed. The applicants be released from custody subject to the following conditions.

- (i) the applicants shall execute the personal bond of

Rs.1,00,000/- (Rupees One Lakh) each with two solvent sureties of the like amount.

(ii) The applicants shall not indulge in any criminal activity while on bail.

(iii) The two solvent sureties shall be, as undertaken by the applicants, respectable permanent residents of Nagpur. While accepting the sureties, the MPID Court shall ensure that the credibility and the financial status of the sureties offered is consistent with the undertaking of the applicants.

(iv) The applicants shall not leave the territorial limits of Nagpur Municipal Corporation, unless permitted to do so by the MPID Court for just and exceptional reasons, till the conclusion of the trials.

(v) The applicants shall not make any attempt to influence the witnesses, directly or indirectly.

The application is disposed of accordingly.

JUDGE

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