

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CRIMINAL APPLICATION NO.2712 OF 2023
IN BA/2044/2022**

SANDIP JAITU BHOIR
VERSUS
THE STATE OF MAHARASHTRA

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Mrs. Harsha R. Lomate h/f Mr. M. V. Salunke, Advocate for the Applicant.

Mr. S. P. Deshmukh, APP for Respondents-State.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATE : 04th SEPTEMBER, 2023.**

PER COURT:-

1. By way of this application, the applicant seeks to release him on temporary bail for two months in Crime No.328/2021 registered with Police Station Akole, Ahmednagar for the offences punishable under Sections 302, 934, 452 of the Indian Penal Code.

2. The learned Advocate appearing for the applicant submits that the applicant is accused in the aforesaid crime. He had preferred Bail Application No.2044/2022 before this Court for grant of regular bail. This Court after considering the material against the applicant/accused pleased to allow the application vide order dated 03.01.2023 and directed release of the applicant on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rs. Fifty Thousand Only) each with one solvent surety of the like amount. It is further submitted that the applicant is not in a position to arrange for the surety. Although, this Court granted bail in the month of January-2023, till this date he is behind the bar. It is submitted that if the applicant is released on temporary bail, he

would be in a position to find out the surety and comply the condition as imposed under order dated 03.01.2023.

3. The learned APP opposes the application. However, he submits that in case of release of the applicant, some stringent conditions may be imposed, so as to secure his presence during the trial.

4. Having considered the submissions advanced, apparently while dealing with the Bail Application No.2044/2022, this Court found that the prosecution has failed to bring strong case against the applicant and, therefore, directed release of the applicant on bail subject to usual conditions. It is about last nine months applicant could not secure the surety and he is still behind the bar. In this background, it would be appropriate to release the applicant on temporary bail for two months as prayed on furnishing P.B. of Rs.50,000/- (Rs.Fifty Thousand Only), so also directing the applicant to attend concerned police station once in a week i.e. on every Thursday between 10.00 am to 02.00 pm. Further the applicant shall furnish detailed address of atleast two family members alongwith their Aadhaar Card. The applicant shall arrange for surety within the stipulated period. The applicant shall surrender after the end of period of two months from the date of his release or comply with the conditions as imposed under order dated 03.01.2023.

5. Criminal Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE