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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 2329 OF 2022
IN
CRIMINAL APPEAL NO.820 OF 2018**

1] Uday Guharam Banjare @ Uday Katkar
2] Sou. Puja Uday Banjare Applicants.
V/s
The State of Maharashtra Respondent.

Mr. Aniket Vagal a/w Mr. Kunal Pednekar, Mr. Divesh Mehani for the Applicants.

Mr. A.R. Kapadnis, APP for the Respondent/State.

**CORAM: NITIN W. SAMBRE &
R. N. LADDHA, JJ.**

DATE: FEBRUARY 16, 2023

P.C.:-

1] Heard.

2] Applicants have moved present Application under sub-section (1) of Section 389 of the Criminal Procedure Code, seeking bail as they were convicted in Sessions Case No.391 of 2014 vide judgment and order dated 19/05/2017 delivered by the Additional Sessions Judge, Pune.

3] The case of the prosecution is, Applicant No.1 alongwith his wife i.e. Applicant No.2 kidnapped the victim, a minor girl and under the

threat of causing injuries/death, demanded ransom.

4] Applicants in the aforesaid offence came to be arrested on 27/02/2014.

5] By the judgment referred to above, Applicants are sentenced to suffer sentence for life imprisonment for the offence punishable under Section 364-A read with Section 34 of the IPC.

6] The co-accused i.e. wife of the Applicant No.1, who is Applicant No.2 in the present Application is already directed to be released by this Court vide order dated 26th August, 2022 passed in Criminal Interim Application No.2159 of 2022 in this very appeal. Fact remains that Applicant No.1 has almost undergone 8 years of sentence. Fact remains that though threats were issued, Applicant No.1 appears to have not caused any injury to the victim, though he appears to have increased his demand for ransom from time to time.

7] In our opinion, Applicant No.1 also deserves to be released on bail on the following terms and conditions:

ORDER

(i) Applicant No.1 be released on bail on furnishing P. R. Bond in the sum of Rs 10,000/- with one or two local sureties in the like amount. However, Applicant No.1 shall not be released

unless fine amount is deposited.

(ii) Applicant No.1 shall report to the Trial Court, once in three months on the day/date specified by the Trial Court, till his appeal is finally disposed of;

(iii) Applicant No.1 shall keep the Trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;

(iv) If there are two consecutive defaults in appearing before the Trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.

8] Application is disposed of accordingly.

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

[R. N. LADDHA, J.]

[NITIN W. SAMBRE, J.]