

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

CRIMINAL APPLICATION (APPA) NO.563 OF 2023
IN
CRIMINAL APPEAL NO.270 OF 2023

(Sunil Basant Malvi Vs. State of Maharashtra)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. J. D. Bastian, Advocate with Mr. Prakash Naidu, Advocate for Applicant.
Mrs. M. H. Deshmukh, APP for Respondent/State.

CORAM: VRUSHALI V. JOSHI, J.

DATE: 12th MAY, 2023.

The applicant has filed this application for temporary bail as his father died and for the purpose of funeral of his father he has filed this application. The applicant is convicted in Special NDPS Case 704/2021 for the offences punishable under sections 8(C), 20(b)(2)(C) and 29 of the NDPS Act, 1965 and is sentenced to suffer ten years imprisonment and to pay fine of Rs.2 lakhs in default to suffer further imprisonment for six months. The counsel for applicant has stated that the applicant was on bail during the trial. He further stated that the applicant is the only son of his father therefore, he has filed this application.

2. The learned APP objected the application for grant of bail as the death certificate is not filed on

record and he is not from Maharashtra he is from Madhya Pradesh. She further states that there is every possibility of absconding. Considering the gravity of the offence and the prayer made in the application, instead of granting bail, the permission is given to the applicant to attend the funeral with police escort. The applicant has to bear the charges for police escort. After attending the funeral immediately he will be taken to the jail.

3. Steno copy granted.

JUDGE