



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

CRIMINAL APPLICATION (BA) NO. 1194/2023

(Sayyed Harun Sayyed Rashid V/s State of Maharashtra and another)

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

Court's or Judge's Order

Mr. S.S.Deshpande, counsel for the applicant.

Mr. Futane, APP for the non-applicant No.1/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 22/12/2023.

1. By this application, the applicant is seeking bail. The applicant was not present before the appellate Court at the time of pronouncing the judgment.
2. It is submitted by the learned counsel for the applicant that as the applicant was out of station and could not reach in time before the Court and therefore, he was absent. The absence was not intentional one and prays for releasing him on bail.
3. The learned APP strongly opposed the present application on the ground that due to absence of appellant, the judgment was not pronounced and inconvenience is caused to the Court.
4. Heard the learned counsel for the applicant and learned APP for the State. Perused the record.
5. It seems that as the appellant was not present before the appellate court, at the time of pronouncing the judgment, the warrant is issued. The absent appears

to be un-intentional one. In that view of the matter, criminal application is allowed. Accordingly, I pass the following order.

- a. The applicant is released on bail in Criminal Appeal No. 27/2020 on executing PR.Bond of Rs. 25,000/- with one solvent surety of like amount.
- b. The applicant shall remain present before the appellate court on 27/12/2023 and shall not seek any exemption for his appearance in any manner.
- c. The criminal application is disposed of.

[URMILA JOSHI-PHALKE, J]