



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 BAIL APPLICATION NO. 502 OF 2024

Shahadya @ Shahadeo Congres Chavan
VERSUS
The State of Maharashtra

Advocate for Applicant : Mr. A.L. Kanade
APP for Respondents: Mrs. Deepali S. Jape

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 25th APRIL, 2024.

PER COURT :-

1. This is an application for granting bail under section 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") in connection with crime No. 14 of 2006 registered with Dindrud police station, District Beed for the offences punishable under Sections 395 of the I.P.C. His application with similar prayer below Exh.5 in Sessions Case No. 28 of 2016 came to be rejected by the learned Additional Sessions Judge, Majalgaon vide order dated 4.3.2024.

2. In the aforesaid crime, the applicant was released on bail, however, he remained absent for the trial and therefore, N.B.W. was issued against him and he was taken into custody on 6.2.2024. The applicant preferred application for bail before the trial court, however, it was rejected.

3. Heard learned advocate for the applicant. He submitted that

the applicant is the only bread winner of the family. He will abide all conditions and co-operate the court for conducting the trial. Learned A.P.P. for the respondent-State has strongly opposed the application.

4. Considering the fact that the applicant is sugarcane cutter and he has to go to Western Maharashtra for labour work and therefore, he could not attend the trial regularly. Considering the peculiar set of facts and the fact that the applicant has no criminal antecedents, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. 14 of 2006 registered with Dindrud police station, District Beed for the offences punishable under Sections 395 of the I.P.C. be released on bail on furnishing personal bond of Rs.15,000/- with one surety of the like amount on following condition:-
 - a) The applicant shall attend the trial on each and every date.

(SANJAY A. DESHMUKH, J.)