



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

916 BAIL APPLICATION NO. 581 OF 2024

Umesh Shripati Ghadge
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Swami Sandeep C
APP for Respondents: Mr. R.D. Raut

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 30th 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. 425 of 2017 registered with Shivaji Nagar police station, District Latur for the offences punishable under Sections 376, 323, 504, 506 of the I.P.C. His application with similar prayer below Exh.55 in Sessions Case No. 25 of 2019 came to be rejected by the learned Additional Sessions Judge, Latur vide order dated 26.2.2024.

2. It is averred in the report that the applicant by giving false assurance of marriage to the informant continuously developed sexual relations with the informant and sexually abused her. Lastly he refused to marry with her and also beaten her. Therefore, report was lodged. The applicant remained absent for the trial. Theefore, NBW was issued against him and he is taken in the custody.

3. Learned advocate for the applicant submits that the applicant will continuously remain present for the trial. He lastly prayed to allow the application.

4. Learned A.P.P. for the respondent-State has strongly opposed the application.

5. The applicant has roots in the society. He will not flee away from the trial. The trial has already been started. Though he has jumped the bail, if necessary directions are given to the applicant to remain present for trial, he can be released on bail. Thus, the applicant deserves to be released on bail by imposing some stringent conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant in connection with crime No. 425 of 2017 registered with Shivaji Nagar police station, District Latur for the offences punishable under Sections 376, 323, 504, 506 of the I.P.C. be released on bail on furnishing personal bond of Rs.50,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not remain absent for the trial and if he remain absent for trial, the trial court shall cancel his

bail and take him into custody without reference to this court.

(SANJAY A. DESHMUKH, J.)

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