



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 BAIL APPLICATION NO. 2130 OF 2024

NAMDEV ASHOK KORADE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Shermale K. N.
APP for Respondent/State: Mr. S. B. Pulkundwar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 06th DECEMBER, 2024

PER COURT:

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he was arrested on 24.10.2024 in connection with Crime No.179 of 2018 (First Information Report No.0387 of 2018), (Regular Criminal Case No.320 of 2019), registered with Sonai Police Station, District Ahmednagar, for the offences punishable under Sections 326, 324, 323, 327, 329, 436, 504, 506, 143, 147, 148, 149, 201 of IPC and Section 4/25 of the Arms Act and Section 37(1)(3)/135 of the Maharashtra Police Act.

3] The learned counsel for the applicant points out that the bail was granted to the applicant (order is at page no.31 of the petition). The learned counsel submits that the applicant unfortunately could not remain present on one of the dates in the court.

The learned counsel further submits that the applicant was present before the court on 24.10.2024 for seeking cancellation of N.B.W., however, he had not formally applied for the same and his physical presence is visible from the CCT footage. The learned counsel submits that formal application was orally directed to be filed by the court. However, before filing of the application for cancellation of NBW, he was arrested on 24.10.2024 in pursuance of the NBW orders. Thereafter, the applicant is in custody.

This court had granted interim bail to the applicant on 02.12.2024 to attend marriage ceremony of his niece and he was also directed to surrender before the court on 05.12.2024. Accordingly, the applicant surrendered on 05.12.2024 and he has placed on record the surrender order passed by the Sessions Court, Newasa.

4] Considering that the applicant is already granted bail and that he has surrendered before the court after interim bail of this court, present bail application needs to be allowed.

5] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.179 of 2018 (First Information Report No.0387 of 2018), (Regular Criminal Case No.320 of 2019), registered with Sonai Police Station, District Ahmednagar, for the offences punishable under Sections 326, 324, 323, 327, 329, 436, 504, 506, 143, 147, 148, 149, 201 of IPC and Section 4/25 of the Arms Act and Section 37(1)(3)/135 of the Maharashtra Police Act, on furnishing PR bond of Rs.15,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

6] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

7] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8] The application stands disposed of.

9] Parties to act upon the authenticated copy of this order.

[ARUN R. PEDNEKER, J.]