

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1633 OF 2024

Suhas @ Pappu Ananda Kamble ... Applicant

V/s.

The State of Maharashtra and Anr. ... Respondents

Mr. Aniket Nikam with Mr. Pratik Jadhav, Mr Dushant Dighamber, Mr. Sumit Patil and Ms. Shreya Anuwal, for the applicant.

Mr. Pankaj Deokar, APP, for the Respondent/State.

CORAM : ANIL S. KILOR, J.

DATE : 8TH AUGUST, 2024.

PC:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.48 of 2014 registered with Juna Rajwada Police Station, Kolhapur, for the offences punishable under Sections 363, 366(a), 343 of the Indian Penal Code and Sections 3 and 4 of the POCSO Act.
3. The applicant was earlier granted bail accordingly, he was released. However, he did not attend the trial and absent for long period therefore, non bailable warrant was issued and subsequently he was arrested on 13.11.2023. Thereafter, he filed an application for bail.

Citing a reason that for the business purpose he shifted to Goa and he was not in touch with the advocate at Kolhapur. He, therefore, submits that he could not attend the trial. At present out of total 18 witnesses 1 has been examined.

4. Thus, it is apparent on the face of the record that it will take some time to conclude the trial.

5. The learned counsel for the applicant undertakes that the applicant will attend the trial on each and every date and co-operate the trial to conclude the trial at the earliest. The said statement is accepted as an undertaking.

6. In the above referred backdrop, considering the justification given by the applicant for not attending the trial and further considering the undertaking given to this Court, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order:

ORDER

- (i) Criminal Bail Application is allowed and disposed off;
- (ii) It is directed that the applicant shall be released on bail in in Crime No.48 of 2014 registered with Juna Rajwada Police Station, Kolhapur, for the offences punishable under Sections 363, 366(a), 343 of the Indian Penal Code and Sections 3 and 4 of the POCSO Act, on furnishing P.R.Bond of Rupees Fifty Thousand with one solvent surety in the like

amount;

iii) The applicant shall attend Juna Rajwada Police Station, District: Kolhapur, on 1st and 16th day of every month, till conclusion of trial;

iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

v) Liberty is granted to the State for cancellation of bail if the applicant breaches any condition or undertaking given to this Court;

vi) The applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the trial Court for any reason.

7. The applicant shall file an undertaking in writing on affidavit. The affidavit be submitted before the trial Court within 2 weeks from today. Failure to file such affidavit the bail shall stand cancelled.

8. The application is disposed of.

(ANIL S. KILOR, J)