

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.2230 OF 2024
IN
CRIMINAL APPEAL NO.488 OF 2024**

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Altaf @ Lalu Ahmed KhanApplicant
Versus
The State of Maharashtra & Anr.Respondents

Mr. Vaibhav A. Sugdare, Advocate for Applicant.
Mr. Arfan Sait, APP for Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 26th JUNE, 2024

P.C. :

1. This is an Application for temporary bail on furnishing personal bond for 30 days.

2. The Applicant's Criminal Appeal (stamp) No.1550 of 2024 is pending before this Court. He was granted bail by the order dated 26th April 2024 passed in Interim Application No.372 of 2024 in the said Appeal. The Applicant was directed to be released on bail on furnishing P.R. Bond of Rs.15,000/- with one solvent surety in the like

amount and subject to the payment of fine amount, if not paid. This order was passed on 26th April 2024. Till today, the Applicant could not file a solvent surety which would help him in release on bail. Above two months have passed and the Applicant has preferred this Application for temporary bail.

3. Learned counsel for the Applicant submitted that the Applicant is unable to arrange for surety since he is lodged in jail. Once he comes out, he can make successful efforts in getting a surety.

4. The learned APP opposed this submission but the learned APP as well as learned counsel for the Applicant both relied on the order of the Hon'ble Supreme Court passed in SMWP Criminal No.4 of 2021 reported in 2023 SCC OnLine SC 483 wherein certain directions were issued. In clause 5 of paragraph 10 it was mentioned that where the under trial or convict requests that he can furnish bail bond or sureties once released, then in an appropriate case, the Court may consider granting temporary bail for a specified

period to the accused so that he can furnish bail bond or sureties.

5. Considering the fact that the Applicant could not avail of the bail order even after two months, it appears to be a genuine difficulty on his part.

6. Hence, I am inclined to allow this Application based on the directions mentioned in the aforesaid judgment.

7. Hence, the following order:-

ORDER

(i) The Applicant shall be released on temporary bail on his furnishing P.R. Bond in the sum of Rs.15,000/- for a period of 30 days from his actual release from jail. Within that period he will have to arrange the solvent surety of Rs.15,000/- as directed by the order dated 26th April 2024 referred to hereinabove.

(ii) The Applicant shall report to the concerned Police Station once a week during that period of thirty days.

(iii) The rest of the conditions in the said order remain as they are.

8. The Interim Application is disposed of.

(SARANG V. KOTWAL, J.)