



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION NO.824 OF 2024 IN
CRIMINAL APPEAL NO.568 OF 2018**
(State of Maharashtra Vs. Suku Guru Kanra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mrs. H.N. Prabhu, APP for the State.
Mr. N.D. Dawda, Advocate (appointed) for the respondent/applicant.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 30, 2024.

Heard.

2. This is an application for releasing the applicant/accused on bail.

3. By preferring the appeal, the appellant/State has challenged the order of acquittal passed by the Special Judge, Chandrapur in Special (N.D.P.S.) Case No.2/2015 dated 04/08/2017 as the respondent has not complied in pursuance of Section 93 of the Cr.PC.

4. The non-bailable warrant was issued against the accused and by executing the same he brought before the Court.

5. Learned Counsel for the applicant submitted that as the applicant is resident of district Malkanigiri State of Orissa and as he was acquitted from the charges he was under impression that his case is disposed of, and therefore, he has not attended the proceeding. There was no intention to delay the proceeding. Now, he would attend the proceedings before this Court also.

6. Learned APP strongly opposed the application on the ground that if the applicant is released on bail he would not be available and the appeal would held up.

7. Considering the reasons mentioned in the application and the appeal against acquittal, as the respondent/applicant has not complied with the provisions of Section 390 of Cr.P.C. by furnishing the surety, therefore, warrant was issued.

8. In view of that, the application deserves to be allowed by imposing certain conditions. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant/respondent be released on bail on executing PR. Bond in the sum of Rs.25,000/- with one local surety of State of Maharashtra.

(iii) The applicant shall attend the police station Rajura, District Chandrapur twice in a month i.e. on 1st and 15th day of every month and the Police Station Officer shall record his presence.

(iv) The applicant shall attend the proceeding before this Court also on every date.

9. The application is disposed of.

10. The appeal be listed for final hearing on 20/09/2024.

(URMILA JOSHI-PHALKE, J.)