



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

CRIMINAL APPLICATION NO.1905 OF 2024

IN

CRIMINAL APPLICATION (BA) NO.829 OF 2023

(Sheshrao Satwaji Newarkar Vs. State of Maharashtra)

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

Court's or Judge's Order

Mr. M.L. Vairagade, Advocate for the applicant.
Mr. H.D. Dubey, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- OCTOBER 23, 2024

Heard.

2. While releasing the applicant on bail on executing PR. Bond of Rs.25,000/- with one surety in the like amount, the condition also imposed that the applicant shall not enter into the vicinity of Shembalpimpri, Tq. Pusad, Dist. Yavatmal wherein the witnesses are residing.

3. Learned Counsel for the applicant submitted that the applicant has communicated with this Court that he has nobody to look after for his defence and there is nobody to look after to secure the surety for him, and therefore, he be released on PR. Bond.

4. The accusation against the present applicant is on the basis of report lodged by neighbour Shankar Narayan Jatale who alleged that the present applicant is his neighbour residing with his wife. On 22/10/2022 at

about 11.00 p.m. when he came home and knew that the present applicant had assaulted his wife by means of Axe and she was in an injured condition, he intervened in the quarrel. The applicant has also abused him and attempted to assault him.

5. On perusal of the entire investigation papers it reveals that the wife of the present applicant has sustained the grievous injuries in the said incident and still she is having apprehension of the death at the hands of the present applicant, therefore, the condition was imposed that the applicant shall not enter into the vicinity of Shembalpimpri, Tq. Pusad, District Yavatmal and the applicant is also directed to execute the P.R. Bond of Rs.25,000/- with one solvent surety in the like amount. Now, this application is filed to release him on P.R. bond. In support of his contention, learned Counsel placed reliance on the decision of the Hon'ble Apex Court in the case of ***Re Policy Strategy for Grant of Bail [2023 SCC OnLine SC 483]*** wherein the Hon'ble Apex Court in para No.10 in sub clause (5) held that :

“In cases where the undertrial 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.”

6. Considering the request and the communication made by the applicant, the applicant can

be released on bail on furnishing the cash surety. In view of that, application deserves to be allowed. Accordingly, I proceed to pass the following order :

(i) The application is allowed.

(ii) The applicant – Sheshrao Satwaji Newarkar shall be released on furnishing cash surety of Rs.25,000/- within two weeks.

(iii) On furnishing the cash surety, he be released on bail on executing the PR. bond.

(iv) The applicant shall furnish the surety for the satisfaction of the Court after he is released on furnishing the cash surety, within one month.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)