

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3375 OF 2025**

Hadi Abdulbari Khan

...Applicant

Versus

The State Of Maharashtra

...Respondent

Mr. Yogesh Morbale i/b Mr. Vinod Sangvikar Advocate for the
Applicant

Mr. S. S. Chaudhari APP for the State

Mr. R. P. Dalvi, Kudal Police Station

CORAM : SHIVKUMAR DIGE, J.

DATE : 29th SEPTEMBER 2025

P.C.:

1. By this application, applicant is seeking regular bail in Crime No. 187 of 2022 registered with Kudal Police Station, District Sindhudurg for offences punishable under Sections 307, 341, 506 read with 34 of the Indian Penal Code.

2. It is the contention of learned counsel for applicant that the applicant was released on regular bail. Thereafter, non-bailable warrant ("NBW") was issued against him as he failed to appear before the learned Sessions Court. After execution of NBW, he was produced before the learned Sessions Court. But the learned Sessions Court rejected the application to grant bail.

IRESH
MASHAL

Digitally
signed by
IRESH
MASHAL
Date:
2025.09.30
17:48:00
+0530

Learned counsel further submitted that the applicant is suffering from various ailments. If the applicant remained behind the bar, he may not get proper treatment. Moreover, the applicant undertakes to attend Court dates regularly. Hence, requested to allow the application.

3. It is the contention of learned APP that the applicant failed to appear before the learned Sessions Court. Because of absence of the applicant, trial is delayed. The learned Sessions Court has passed a well reasoned order and no interference is required in it. Hence, requested to reject the application.

4. I have heard both learned counsel, perused F.I.R. and documents produced on record. Admittedly, the applicant was released on bail and NBW was issued against him due to his non appearance before the learned Sessions Court. After execution of NBW, the learned Sessions Court has rejected his bail application. In my view, applicant's bail application was allowed on merit. The applicant undertakes to attend Court dates regularly.

5. Considering these facts, I pass following order:

ORDER

- I. The Application is allowed.
 - II. The Applicant be enlarged on bail in Crime No. 187 of 2022 registered with Kudal Police Station, District Sindhudurg on executing P.R.Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.
 - III. The Applicant shall not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.
 - IV. The Applicant shall attend the Trial Court dates, regularly.
6. The application is allowed in the aforesaid terms and is accordingly disposed off.
7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
8. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]