

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

CRIMINAL BAIL APPLICATION NO. 3116 OF 2024

Vijay Dattu Kangude	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Kaustubh Nale i/by Mr. Vikas Shivarkar, Advocate for the Applicant.

Ms. Anamika Malhotra, Addl. P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	6th MARCH, 2025

P.C.:

1. The applicant is an accused in R.C.C. No.3949 of 2024 pending on the file of J.M.F.C. Pune for the offences punishable under Sections 353, 332, 427 r/w Section 34 of Indian Penal Code.

2. The applicant was on bail. On 28.03.2024, he came to be arrested pursuant to issuance of non-bailable warrant by the learned Magistrate. The non-bailable warrant was issued as the applicant was not appearing in the matter. By order dated 26.06.2024, the learned Sessions Court has rejected his bail application.

3. The learned counsel for the applicant submits that communication gap between the applicant and his advocate resulted into non-appearance of the applicant before the concerned Court. It is submitted that the applicant undertakes to attend each and every date in the matter. The learned counsel for the applicant has tendered an Affidavit of the applicant to that effect.

4. On the other hand, the learned A.P.P submits that the applicant was not appearing in the matter for long time. It is submitted that thus Sessions Court has rightly not released the applicant on bail.

5. The applicant is in jail for about one year. Considering this fact and in view of the undertaking of the applicant, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in R.C.C. No.3949 of 2024 pending on the file of J.M.F.C. Pune for the offences punishable under Sections 353, 332, 427 r/w Section 34 of Indian Penal Code on

executing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;

(iii) The applicant shall file an undertaking before the concerned Court in terms of his Affidavit dated 29.12.2024.

(iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)