

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

**INTERIM APPLICATION NO.802 OF 2025
IN
INTERIM APPLICATION NO.2505 OF 2022
IN
CRIMINAL APPEAL NO.176 OF 2022**

Ronin Manik Sarkar .. Applicant
vs.
The State of Maharashtra .. Respondent

Mr. Shivani Kandekar, Advocate appointed for the Applicant.

Mr. Avinash A. Naik APP for the Respondent-State.

**CORAM : SARANG V. KOTWAL &
SHYAM C. CHANDAK, JJ.**

DATE : 12th JUNE, 2025

P. C. :

1. This is an Application sent through jail. The Applicant has preferred the Appeal against the Judgment and Order dated 09/03/2022 in Sessions Case No.695 of 2015 passed by the Additional Sessions Judge, Pune. The Appeal was admitted and the Applicant was granted bail vide order dated 12/08/2024 passed in Interim Application No.2505 of 2022. However, inspite of the bail order in his favour, the Applicant could not avail of the same because he could not furnish the sureties as was directed by the said order and therefore, this Application is filed with the prayer for

dispensing with condition of furnishing sureties or in the alternative giving him sometime to arrange for the sureties, once he is released from jail. The operative part of the order dated 12/08/2024 read thus :

“ORDER

- (a) The applicant be enlarged on bail on furnishing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (b) The applicant shall report to the trial Court, once in six months on the day/date specified by the trial Court, till his appeal is finally disposed of;
- (c) The applicant shall keep the trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time;
- (d) If there are two consecutive defaults in appearing before the trial Court, the learned Judge shall make a report to the High Court and the prosecution would be at liberty to file an application seeking cancellation of bail.”

2. This order was passed on 12/08/2024. After that, till today the Applicant could not arrange for the sureties. Therefore, his difficulty is quite clearly genuine. In spite of getting an order of his release on bail, he is unable to avail of the same due to this difficulty. Therefore, this Application is preferred.

3. Learned Counsel for the Applicant relied on the observations of the Hon'ble Supreme Court in *Suo Motu Writ Petition (Cri.)No.4 of 2021* decided on January 31, 2023 reported in *(2024)10 SCC 685*. Learned Counsel relied on clause (v) of paragraph 9 which mentions that in cases where the under-trial or convict requests that he can furnish bail bonds 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.

4. The Applicant was convicted under Section 302 of IPC but he was granted bail by the reasoned order. Considering this background and based on the submissions made by the learned Counsel for the Applicant, we are inclined to grant some relief to the Applicant so that he can make an attempt to furnish sureties.

5. Learned APP submitted that conditions may be imposed on him to ensure his presence because he is resident of West Bengal. Considering this situation and the observations of the Hon'ble Supreme Court, following order is passed :-

ORDER

- (a) The Applicant be released on bail forthwith on his executing PR. Bond in a sum of Rs.25,000/- for a period of eight weeks. During that period, the Applicant shall furnish the sureties as

directed by the Division Bench of this Court in Interim Application No.2505 of 2022 in Criminal Appeal No.776 of 2022 vide the order dated 12/08/2024. During the said period of eight weeks, the Applicant shall report to the Rajghad police station, Pune Rural once in a fortnight. Rest of the conditions imposed by the said bail order shall also be followed by the Applicant.

(b) Interim Application is disposed of.

(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)