



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION(BA) NO. 1071 OF 2025

Santosh Devakar Soni Vs. State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.Mir Nagman Ali, counsel for the applicant.
Mr.Anant Ghogare, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 16/10/2025

1. The applicant has filed this application to release him on bail.

2. The applicant was arrested in Crime No. 803 of 2019 registered with Police Station Gadge Nagar, Amravati City for the offences punishable under Sections 307, 143, 147, 148, 149 and 452 of the Indian Penal Code, 1860. The applicant was released on bail and he was not appearing before the Court. The Sessions court has issued non bailable warrant against him for non-appearance in trial. The application to set aside the order of NBW was rejected and the applicant was taken into custody. The application filed by the applicant to release him on bail before the trial court was

rejected by the Sessions Court. Thereafter, the applicant has filed this application.

3. The applicant has filed on record the Roznama, which shows that seven accused are there, on every date somebody was absent and the exemption applications were filed. The applicant was also appeared before the Court on some dates and on the date on which the NBW was issued, the applicant was not present. It is the contention of the applicant that the Court has not considered the said reason given by the applicant and the application to set aside the NBW was rejected. The learned counsel for the applicant has stated that since 2022 the trial is pending. The matter is fixed for evidence since 2024. Since last two years, no witness is examined. On 06.07.2025, the applicant was taken in custody and since then he is in jail.

4. The learned APP has opposed the application and stated that as the applicant was not present, there is delay in trial. The learned trial Court has observed about it in his order and rejected the application. On every date some of the accused remained absent and therefore, the trial is hampered hence, prayed to reject the application.

5. Heard both sides and perused the record.

6. After going through the roznama, it appears that the applicant was present on some dates. The reason given by the applicant for his absence is not considered. The applicant was released on bail on merits. The learned trial court has rejected the application as he has not abide by the condition imposed upon him and not appeared before the Court. As the applicant was released on bail on merits and since last two years the trial is not yet initiated, the complainant is not examined, the custody of the applicant is not required. The case is made out to release the applicant on bail. Accordingly, I pass the following order:

- i) Criminal application is allowed.
- ii) Applicant- Santosh Devakar Soni be released on bail in Crime No. 803 of 2019 registered with Police Station Gadge Nagar, Amravati City for the offences punishable under Sections 307, 143, 147, 148, 149 and 452 of the Indian Penal Code, 1860 on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.
- iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall co-operate the investigation officer.

7. The Criminal Application stands **disposed of** accordingly.

8. Pending application/s if any, is/are stand/s disposed of.

JUDGE