

ORDER BELOW EXH.8

1. The background leading to the present application is that earlier the present accused was released on bail. However, after commitment of the case to the Sessions Court, the accused did not appear. Therefore, non-bailable warrant was issued against the accused. However, it could not be executed. Surety also did not appear though served. Therefore, this Court had forfeited the bail bonds of the accused with the surety bonds. Today, the applicant appeared before this Court, therefore he came to be taken into custody. As such by present application request is made to release the applicant-accused on bail. The prosecution resisted the application by filing say.

2. Learned Advocate Shri. Ashfak Shaikh on behalf of the applicant contended that due to non communication with the Advocate the applicant missed the date and thereby could not appear before the Court. Here-in-after the applicant-accused will not avoid to attend before the Court. Therefore, he requested to allow the application.

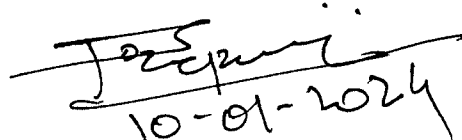
3. On the other hand, learned Additional Public Prosecutor Shri. Kalal argued that the applicant has jumped the conditions of earlier bail. As on date, there is no surety for the accused on record. The accused will not remain present before the Court if released on bail now. Therefore, he requested to reject the application.

4. It appears that since the commitment of the case the applicant did not attend the Court. His bail bonds have been already forfeited. Still, as an opportunity, this Court is of the view to grant a chance to the accused to defend the case by remaining on bail. Therefore, it is appropriate to grant the bail to the applicant. However, having regard to that the bail bonds of the accused have been already forfeited it is appropriate to direct him to deposit the amount of Rs.15,000/- (Rs. Fifteen Thousand only) as a penalty for the breach of bail bonds. The applicant-accused shall furnish personal bond of Rs.20,000/- (Rs. Twenty Thousand only) and solvent surety of said amount. In the conclusion order as follows is passed -

### ORDER

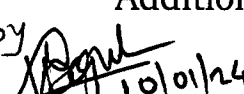
1. The applicant-accused is released on bail, on his depositing the amount of Rs.15,000/- (Rs. Fifteen Thousand only) as penalty for the breach of earlier bail bonds, and on executing personal bond of Rs.20,000/- (Rs. Twenty Thousand only) and solvent surety of ~~said~~ <sup>same</sup> amount.

2. The accused shall note that he will have to attend the Court on each and every date unless the Court exempts him from appearance on a particular date.

  
 10-01-2024  
 ( Deepak L. Bhagwat )  
 Additional Sessions Judge,

Date : 10.01.2024.

Penalty of Rs. 15,000/- paid by  
 Accused on 10/01/2024.

  
 Asstt. Superintendent  
 ( Cash and Finance )  
 District Court , Dhule