

MHKO070027012023



REGULAR CRIMINAL CASE NO. 147/2023
(State of Maharashtra - Vs. - Lakhansing Dudhani
& Oth.)
ORDER BELOW EXH. 01

There are 4 accused in this case. Accused No. 1 is under trial prisoner and is present before the Court. Accused No. 2 has moved an application for exemption. Accused No. 4 is present today.

02. Record shows that accused No. 3 Arunsing is continuously absent and therefore warrant was issued against him as well as notice was issued to his surety. As per report at Exh. 36, record shows that the notice was duly served on the said surety, but the said surety neither appeared before the Court nor complied the bond submitted to this Court. Accordingly, following order -

ORDER

1. Bail bonds of accused No. 3 Arunsing Charansing Tak and the surety Mahadev Bapu Kamble stands forfeited.
2. Accused No. 3 Arunsing Charansing Tak is hereby declared as 'proclaimed offender'.
3. Issue proclamation under Section 82 and 83 of The Code of Criminal Procedure against accused No. 3.
4. Issue warrant under Section 421 of The Code of Criminal Procedure to the Collector Kolhapur for confiscation of the property of the surety Mahadev Bapu Kamble.

5. The prosecution is directed to initiate the action under Section 229-(A) of The Indian Penal Code against the surety Mahadev Bapu Kamble.
6. Since accused No. 1 is under trial prisoner since 27.09.2023 and his trial needs to be expedited, the trial is separated insofar as accused No. 3 is concerned, as per the provision of Section 317(2) of The Code of Criminal Procedure.
7. Accused Nos. 1, 2 and 4 shall remain present on next date for charge.

Place - Jaysingpur.
Date - 03/04/2024

(Anand D. Karbhajan)
Judicial Magistrate First Class,
Jaysingpur, Tal. Shirol, Dist. Kolhapur.