

ORDER BELOW EXH.39

(In Sessions Case No.07 of 2018, State Vs. Yogesh & Ors)

(CNR No.MHLA010004422018)

1. Accused No.1 Yogesh is seeking bail. Charge-sheet has been filed against him and against three accused under Section 397, 394, 352 of Indian Penal Code on 9.2.2018. Thereafter, for some days, accused No.1 Yogesh was regular before the Court. Charge came to be framed against him and other two accused on 9.10.2018.

2. Thereafter, accused No.1 Yogesh started remaining absent. On 6.9.2019, NBW was issued against him. His bail bonds were cancelled on 15.7.2019. Then, proclamation under Section 82 and 83 of Cr.P.C. was issued against him on 22.8.2019. On last date i.e. on 12.2.2020, he sou-mo-to appeared and was taken into MCR. He deposited an amount of Rs.25,000/- in the Court towards forfeiture of his bail bonds.

3. Meanwhile, on 30.1.2020, an order below Exh.1 was passed and the trial of remaining two accused (who are regularly attending the Court) came to be separated from accused No.1 Yogesh. Heard advocate Shri Nalegaonkar appearing on behalf of accused No.1. He has submitted that, accused No.1 is residing in Pune since last one year and he is not aware about the proceeding of this case. He has further submitted that, accused No.1 has been recently married and there was no intention of his to prolong the case.

4. I have considered this argument. Once this accused was enlarged on bail. Today, only consideration is to ensure presence of accused before the Court during trial. This can be done by obtaining heavy sureties from the accused No.1. One more reason for obtaining heavy surety is that, admittedly he is residing at Pune, and so there are chances that he may again protract the trial. Except this, I see there is no ground to detain him in the custody. Hence, the following order.

ORDER

Accused No.1 Yogesh Sudhakar Patre be released on bail on his furnishing PB of Rs.50,000/- with two solvent sureties of Rs.30,000/- each in Sessions Case No.07 of 2018 with a direction that he should not prolong the case by seeking unnecessary adjournments.

Date :- 14.02.2020

(Y.P. MANATHKAR)
Addl. Sessions Judge-5
LATUR