

Cri Appeal No.66/2016

(CNR- MHSI010005852016)

ORDER BELOW EXH.27 (IA-2/2018)

1/ This application is filed Respondent No.3 who is original accused in RCC No.59/2012 for release him on P.R. bond and for time to furnish surety as order below Exh.26.

2/ Heard Ld. Advocate Shri. A. A. Shaikh for applicant/Respondent.

3/ It appears that, after service of summons of this Appeal against acquittal, present Respondent/accused failed to appear before this Court and, therefore, this Court issued NBW against him by order below Exh.10. Today applicant/Respondent No.3 arrested in execution of NBW and produced before this Court and by order below Exh.26, this Court directed to release accused on execution of P.R. bond of 15,000/- with surety in the like amount. However, today Respondent/accused is unable to furnish surety, therefore, by this application, Respondent No.3 prayed for release him on P.R. bond and prayed for time to furnish surety.

4/ It is submitted by Ld. Advocate Shri. Shaikh for accused No.3 that accused is a poor person and due to the misunderstanding, he did not appear before this Court. He further submits that, present accused is acquitted by Trial Court and now he is respondent in this appeal. He further submits that the

respondent is also do not have a single pie to spend to engage Advocate. He filed the Vakalatnama to provide him legal aid as a charity. He is also unable to pay any fine amount, if any imposed. He further submits that, today this Court ordered for release of accused on bail of Rs.15,000/-. However, as the respondent is arrested suddenly, he is unable to furnish surety. Therefore, he prayed for release of respondent on P.R. bond.

5/ Considering reasons stated in application and submission, I am of the view, in the interest of justice, this application needs to be allowed particularly, keeping in mind present respondent is a party/respondent in an appeal against acquittal. Hence, I pass the following order:-

: ORDER :

1. The application is allowed.
2. Respondent No.3 Pravin Prakash Rawool be released on execution of P.R. bond of Rs.15,000/-.
3. The respondent No.3 is directed to furnish surety as per order below Exh.26 within one month.

Sd/-

Sindhudurg
Dt.:-11/12/2018

(P. R. Kadam)
Addl. Sessions Judge,
Sindhudurg-Oros.