

ORDER BELOW APPLICATION (EXH.13) IN
M.P.I.D. CASE NO. 2 OF 2023
CNR MHST19004349-2024
(Ashok Tukaram Dhamdhare Vs. State of Maharashtra)

The applicant/accused No. 5 seeks bail in connection with C.R. No.79 of 2019, registered with Lonand Police Station, for the offences punishable under Sections 406, 409 and 420 read with Section 34 of the Indian Penal Code and Sections 3 and 4 of the Maharashtra Protection of Interest of Depositors Act 1999, vide Section 439 of the Code of Criminal Procedure.

02. The applicant/accused No. 5 was enlarged on bail. However, by committing breach of the bail bond he remained absent for months together. Hence, by issuance and execution of nonailable warrant his presence was secured. On execution of the warrant the earlier bail bonds stand cancelled.

03. By the present application the applicant seeks fresh bail. According to him he is the only earning member of his family and henceforth he will strictly abide by the terms and conditions of the bail bonds. Hence, he has prayed for his released on bail.

04. The respondent/State by filing say (Exh. 19) resisted the application. According to it the applicant is involved in the serious crime and he has intentionally and knowingly committed the breach of bail bond. In case of his release on fresh bail bond he will again jump over the bail. Hence, it has prayed for rejected of the application.

05. The facts and circumstances of the matter prima facie disclose that the accused was enlarged on bail bonds. However, he has committed breach of the same without sufficient cause. He, therefore, does not deserve for leniency. However, considering his responsibility of maintenance of his family it would be just and proper to give him one more fair opportunity. At the same time it needs to impose penalty for forfeiture of earlier P.R. bonds and stringent conditions. Accordingly, I pass following order :

ORDER

01. The application is allowed.
02. The applicant/accused No. 5 (Ashok Tukaram Dhamdhere) be released on furnishing fresh personal bond in the sum of Rs.1,00,000/- (Rs. One Lakh), with two sureties in the like amount, on following terms and conditions subject to payment of penalty of Rs. 10,000/- towards forfeiture of his earlier personal bond.
03. The applicant shall regularly attend the dates of the hearing of trial and shall not hamper the trial.
04. The terms and conditions of earlier bail order will continue as it is.

WAI
Date 12th April 2024

(S.G. Nandimath)
Special Judge, WAI