

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2011 OF 2015
[Tiranga s/o Kadu Kale Vs The State of Maharashtra]

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

Shri K.B.Jadhav, advocate for applicant
Smt. Pratibha Bharad, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.
DATED : 13th July, 2015

PER COURT :-

- 1] This is an application for regular bail.
- 2] By the present application, the applicant is seeking his release on bail, since the applicant is arrested, in connection with Crime No.271 of 2014, registered with Gangapur Police Station, District Aurangabad, for the offences punishable under Sections 397, 341, 395 of the Indian Penal Code.
- 3] I have heard Shri K.B.Jadhav, learned counsel for applicant and Smt. Pratibha Bharad, learned Additional Public Prosecutor for the respondent/State.
- 4] The first information report was lodged against six un-known persons. The investigation is already over and charge sheet is also filed. According to the learned Additional Public Prosecutor, the test identification parade was held, however, the learned Additional Public Prosecutor is candid enough to point out that the present applicant was not subjected to the test identification parade. Further, to a specific query made to the learned Additional Public Prosecutor about the criminal antecedents of the present applicant, the reply given by the learned Additional Public

Prosecutor is in negative. According to the learned Additional Public Prosecutor, the only material against the present applicant is recovery of Rs.750/- at his behest under Section 27 of the Evidence Act.

5] Looking to the quality of evidence available in the charge sheet, the applicant, who is in jail since 18.12.2014, need not be further detained. That leads me to pass following order.

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant-Tiranga s/o Kadu Kale, be released on bail, in connection with Crime No.271 of 2014, registered with Gangapur Police Station, District Aurangabad, for the offences punishable under Sections 397, 341, 395 of the Indian Penal Code, on he executing P.R. bond of Rs.25,000/- with two solvent sureties in the like amount.
- (iii) Bail before the trial court.
- (iv) Applicant-Tiranga shall attend the police station Gangapur, District Aurangabad once in a week, preferably on every Tuesday in between 11.00 a.m. to 2.00 p.m. till the conclusion of the trial.
- (v) Application is disposed of.

(V.M.DESHPANDE, J.)