

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 5104 OF 2015

Sachin s/o Dharamraj darade,
Age: 38 years, Occ: Agri.,
R/o.Daradwada, Tq. Kaij,
Dist. Beed.

...Applicant

versus

The State of Maharashtra,
through its Police Station
Kaij, Dist. Beed.

...Respondent

...

Mr. Dattatraya H. Jadhav, Advocate for the applicant
Mr. S.M. Ganachari, Addl. Public Prosecutor for respondent/State

CORAM : N.W. SAMBRE, J.

DATE : 15th OCTOBER, 2015

ORAL ORDER :4646

The applicant herein is charge sheeted in the Crime No. 116/2015 registered with Kaij Police Station, District Beed for the offence punishable under Section 395 of the Indian Penal Code and arrested on 21/05/2015.

2. Perused the case papers.

3. Learned A.P.P., while opposing the application for grant of bail, would urge that the applicant herein was caught red handed while committing the crime for the offence punishable under Section 395 of the Indian Penal Code i.e. dacoity. He would further urge that

one of the accused is absconding and as such, the applicant is not entitled for bail.

4. Upon perusal of the case papers and other material available on record, it is noticed that the applicant herein was arrested and he is in magisterial custody since last five months. Apart from above, merely because one of the accused is not traceable, that cannot be a ground for detaining the present applicant.

5. In view of the completion of the investigation and as there is no history of committing such types of crime against the present applicant, it will be appropriate, in my opinion, to order the release of the applicant on bail. Hence, I propose to pass the following order :-

The applicant be released on bail, upon executing the P.R. bond of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount, in connection with Crime No. 116/2015 registered with Kaij Police Station, District Beed for the offence punishable under Section 395 of the Indian Penal Code

6. The application stands allowed.

[N.W. SAMBRE, J.]