

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

CRIMINAL APPLICATION NO. 5146 OF 2015

Chand Pasha s/o Shaikh Bannu,
Age: 32 years, Occ: Business,
R/o. Nizamgunj Colony, Aurangabad. ...Applicant

versus

The State of Maharashtra,
through the Police Station Officer,
Waluj Police Station, Aurangabad. ...Respondent

...
Mr. Mohsin Khan, Advocate for the applicant
Mr. A.P. Basarkar, Addl. Public Prosecutor for respondent
...

CORAM : N.W. SAMBRE, J.

DATE : 28th OCTOBER, 2015

ORAL ORDER :

Present applicant is seeking regular bail in Crime No. I-231/2015 registered on 18/08/2015 at M.I.D.C. Waluj Police Station, District Aurangabad for the offence punishable under Section 399, 402 of the Indian Penal Code, for which he was arrested on the same day.

2. Learned Counsel for the applicant submits that the investigation in the matter is almost completed and further detention of the applicant is of hardly any assistance in the matter and nothing

is seized from the applicant, so he is entitled for grant of bail.

3. Learned A.P.P. would urge that the applicant is charged with serious offence and other accused are still absconding. He would then urge that in view of pendency of investigation, the application for grant bail be rejected.

4. Having considered the rival submissions, it is noted that there are no criminal antecedents against the present applicant and there is nothing remained to be seized from the applicant.

5. Apart from above, further detention of the applicant is of hardly any assistance in the matter.

6. In view of above, it will be appropriate, in my opinion, to order the release of the applicant on bail. Hence, I propose to pass the following order :-

(i) The applicant be released on bail, upon executing the P.R. bond of Rs 25,000/- (Rs. Twenty five thousand) with one surety in the like amount, in connection with Crime No. I-231/2015 registered at M.I.D.C. Waluj Police Station, District Aurangabad for the offence punishable under Section 399, 402 of the Indian Penal Code.

(ii) The applicant shall keep himself away from the jurisdiction of area of Commissionerate, Aurangabad till filing of charge sheet, but for investigation purpose.

(iii) The applicant shall furnish his address and contact number to the Investigating Officer.

7. The application stands allowed.

[N.W. SAMBRE, J.]

Tupe/28.10.15