

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram,	Court's or Judge's orders.
--	--	---------------	----------------------------

CRIMINAL APPLICATION NO. 6131 OF 2014

BHISEN @ BAYSINGH AKRAM SEGAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Rathi Swapnil S.
APP for Respondent: Mr. R. P. Phatke.

CORAM: T. V. NALAWADE, J.
DATED: 17th FEBRUARY, 2015.

PER COURT:

1. The application is filed for bail. Both the sides are heard. This Court has perused the papers of investigation.
2. By way of precaution this Court has directed learned A.P.P. to ascertain as to whether there is possibility of abscondence of the applicants. On record, permanent addressed were collected of the applicants and were sent for verification. Report is received that they are permanent residents of the places mentioned by them.

3. Charge sheet is filed against the applicants for offence under section 395 and 120-B of I.P.C. The incident in question took place on 2nd September, 2013 in Barewand, District Parbhani. On that night when the complainant lady was sleeping in the house at about 02.00 hours on the night between 2nd and 3rd September, 2013 somebody knocked the door. She thought that some incident had taken place and she opened the door. 6 to 7 persons entered the house with stick and they robbed the inmates. They took away ornaments in the house and which were on the person of the inmates of the house. Allegations are made that the valuables worth more than Rs.11.12 Lakh were taken away. She has described the age etc. of the dacoits.

3. During investigation present applicants came to be arrested. The applicants are identified by one witness. It appears that one mobile hand set is recovered from Bhaisan alias Baysing but it is not said to be a stolen property. Cash amount of Rs.37,000/- is shown to be recovered from the house of Badarsing alias Badar and cash amount of Rs.10,000/- is recovered from the house of Nahadar Thakur.

4. Submissions made show that the applicants have

no bad antecedents. They are behind bars since 4th and 5th September, 2013. In view of this circumstance, this Court holds that it is not desirable to keep the applicants behind bars till disposal of the case.

5. In the result, the application is allowed. The applicants are to be released on bail on their furnishing P.R. & S.B. of Rs.30,000/- with one solvent surety of like amount, by each of them. The surety should be from Parbhani district. They are to regularly attend the Court.

[T. V. NALAWADE, J.]

Dt.17/02/2015
ans/6131