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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 896 OF 2015**

Deepak Umashankar Vishvkarma

...Applicant

Versus

State of Maharashtra

...Respondent

Mr.M.M.Badgujar i/b Mr.Shaikh Waseem Shaikh Isa, for the Applicant

Mr.S.S.Pednekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 27th OCTOBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No.I-130 of 2014, registered with the Karad Police Station, for the alleged offences punishable under Sections 396, 120(B) r/w 34 of the Indian Penal Code.
3. Learned Counsel for the Applicant states that there is no material to connect the applicant with the alleged offence. He submitted

that the only allegation qua the present applicant is recovery of Rs.29,240/-. He states that the said money allegedly recovered is not identifiable and as such the said recovery will have no evidentiary value. He submitted that the applicant has not been identified in the Identification Parade and that there is absolutely no material qua the present applicant.

4. Learned APP on instructions of the Investigating Officer who is present in Court fairly accepts that apart from the recovery of Rs.29,240/- there is no material to connect the applicant with the alleged offence. He submitted that after filing of the charge-sheet, identification parade was held and that the applicant has not been identified in the Test Identification Parade. He also states that the present applicant has no antecedents.

5. In view of what is stated aforesaid, the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m. for a period of 12 months after his release and thereafter once in three months, till the conclusion of the trial;

(iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate in the conduct of the trial;

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.