

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.95 OF 2015**

Airal Anand Nair	Applicant.
Versus	
The State of Maharashtra	...Respondent.

Mrs. Anjali Patil, advocate for the applicant.
Ms. Anamika Malhotra , APP for the respondent-State.

**CORAM : ABHAY M. THIPSAY, J.
DATED : January 29, 2015**

P.C.:

Heard Mrs. Anjali Patil, learned counsel for the applicant and
Ms. Anamika Malhotra, learned Additional Public Prosecutor for the State.

2 Applicant's previous application for bail (Bail Application
No.871 of 2014) was rejected by me, which was decided on 14.7.2014.
While rejecting the said application, liberty was granted to the applicant to
apply afresh for bail in the event of trial not concluding within the period of
six months from the date of said order ie., 14.7.2014.

3 Present application has been made pursuant to the liberty granted by the said order. Learned counsel for the applicant submits that the trial has not yet commenced. She further submits that even a charge has not yet been framed in the matter.

4 Investigating Officer was called upon to remain present before the Court so as to verify these aspects but none has remained present on his behalf.

5 While rejecting the previous bail application, it was observed that there was no satisfactory material to indicate that the applicant was the person, who had given the blow with bamboo to the first informant, as was the case of the investigating agency. It was further observed that the applicant was sought to be connected with the alleged offence only on the basis that a part of the robbed property was recovered at his instance.

6 Though it cannot be said that there is no *prima-facie* case against the applicant, considering that the applicant is in custody since 08.01.2014 and even a charge has not yet been framed; and that there are no antecedents, I am inclined to grant bail to the applicant on certain conditions. This is particularly so as 3 other accused in this case have already been released on bail.

7 Application is allowed.

8 Applicant is ordered to be released on bail in the sum of Rs.30,000/- (Rupees Fifty Thousand) with one surety in the like amount, or two sureties in the sum of Rs.15,000/- (Rupees Fifteen Thousand) each, on the condition that the applicant shall not contact, meet or approach any of the prosecution witnesses, in any manner, whatsoever.

(ABHAY M. THIPSAY, J.)