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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.547 OF 2015

Janu Dadu Kamadi and Anr. ... Applicants
V/s.
State of Maharashtra ... Respondent

Mr.Pankaj Pandey, i/b Mr.Sachin R. Pawar, for the Applicants.
Ms.S.S.Kaushik, APP for the Respondent – State.
PI – K.A.Naik, Jawhar Police Station, Thane.

CORAM : REVATI MOHITE DERE, J.
DATED : 29th APRIL, 2015.

PC.

1. Heard the learned counsel for the Applicants and the learned APP for the Respondent-State.
2. By this application, the Applicants seek their enlargement on bail, in connection with C.R.No.I-12 of 2014, registered with the Jawhar Police Station, Thane, for the alleged offences punishable under Sections 302, 201 r/w 34 of the Indian Penal Code.
3. Learned Counsel for the Applicants at the outset, states that there is no material as against the present applicants to connect them with the

alleged offences. He submitted that there is no material, in the form of last seen or recovery of any weapon or any other incriminating article at the behest of the present applicants. He submits that the names of the present applicants is disclosed in the memorandum statement of the co-accused recorded under Section 27 of the Evidence Act, which is inadmissible in law. The learned APP does not dispute the same.

4. Considering the fact that there is no material on record, as against the present applicants, except the statement of the co-accused, which is clearly inadmissible in law, the applicants are entitled to be enlarged on bail on the following terms and conditions ;

ORDER

- i) The Applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- each with one or two sureties in the like amount ;
- ii) The Applicants shall attend the Jawhar Police Station, Thane, on the 1st Saturday of every month from 10.00 a.m. to 11.00 a.m., till the conclusion of the trial ;
- iii) The Applicants shall not tamper or attempt to influence the complainant or any persons concerned with the

case ;

iv) The Applicants shall co-operate in the conduct of the trial.

5. The Application is allowed and disposed of in above terms.

6. Needless to observe, that the learned Judge shall decide the case on its own merits uninfluenced by the observations made in this order.

7. Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)