

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION**

**BAIL APPLICATION NO.811 OF 2015**

Sujeet alias Chanchal Dharamraj .Applicant  
Singh

v/s.

The State of Maharashtra .Respondent

Ms Sartaj Shaikh, Advocate, for the Applicant  
Mr.Y.M.Nakhwa, APP, for the Respondent – State

**CORAM : REVATI MOHITE DERE, J.**

**DATE : 23.09.2015**

**P.C.**

. Heard learned counsel for the applicant  
and the learned APP for the respondent – State.

2. By this application, the applicant  
seeks his enlargement on bail in connection with  
C.R.No.I-115 of 2014 registered with the Waliv  
Police Station, Thane, for the alleged offences  
punishable under Sections 394 r/w.34 of the  
Indian Penal Code, 1870.

3. The first informant is one Harish Surendra Singh, the owner of an Indian Oil Petrol pump at Bhiwandi. He has alleged in his complaint that he had given money to his employee Chandrasen Shrirampalat Singh, an Assistant Manager of the petrol pump to deposit the same in the Bank. He has alleged that the said Chandrasen informed him on his mobile, that when he was proceeding to the Bank to deposit the said amount of Rs.8,04,360/-, he was accosted by two persons, who were riding a motor cycle; that the said persons snatched the bag from him; and that he was assaulted with an iron rod on his right hand, as a result of which he lost his balance and fell down.

4. Learned counsel for the applicant submits that all the four co-accused have been enlarged on bail either by the Sessions Court or by this Court. She submits that the nature of

evidence and material as against the co-accused who have been enlarged on bail is identical to that of the present applicant i.e. recovery of money and identification by the manager. She further submits that initially the complainant had lodged a complaint as against the Assistant Manager Chandrasen himself, and unknown person, however, subsequently, Chandrasen has been made a witness in the said case. Learned counsel further submits that the applicant was seen by the witness, when he was taken for his custody remand and as such implicit reliance cannot be placed on such identification.

5. Learned APP states that there are no antecedents qua the applicant.

6. Be that as it may, considering the fact that four co-accused have been enlarged on bail and the role of the applicant is identical to

that of the co-accused who have been enlarged on bail, the applicant is also granted bail on the following terms & conditions:

**ORDER**

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall attend the Waliv Police Station, Thane on the first Sunday of every month between 11:00 a.m. to 12:00 noon 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 with the conduct of the trial;

(vi) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

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

8. 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.

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

**(REVATI MOHITE DERE, J.)**

**CERTIFICATE**

Certified to be true and correct copy  
of the original signed Judgment/order.