

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION No. 820 of 2015

Mohammad Vafid Barqat Ali Khan ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr P.A.Pol, a/with Mr Siddheshwar Kalel i/by Pol Legal Juris
for the applicant.

Mr S.S.Pednekar, APP for the State.

CORAM : A. R. JOSHI, J.

DATE : 7th May, 2015

P.C.

1. Heard learned Counsel for the applicant and the learned APP for the State in this application for regular bail in the matter of offences punishable under Sections 392, 465, 468, 471 read with section 34 of IPC. At the threshold, it must be mentioned that apparently there is no application of section 392 of IPC against the applicant as it is not the case of the prosecution that 280 bags containing rice were stolen by the co-accused in conspiracy with the present applicant.

2. What is the case of the prosecution is that out of those 280 bags 267 bags of rice were found from the godown of the present applicant. The present applicant had come forward with a case that those bags containing rice were his own property and to that effect he had produced the documentary evidence and which has been already seized by

the Investigating Agency. Since 13rd March, 2015 the applicant is in custody. The investigation is at the fag end and within three weeks time charge-sheet would be filed, as stated by the learned APP for the State. As the documents and the muddemal are already seized by the police and as the applicant is in custody since 13th March, 2015, on certain conditions, the applicant can be released on bail. Hence order :

- a) The applicant be released on bail in the matter of CR No.I-22 of 2014 registered with Wadiwarhe Police Station, District Nashik on executing a P.R. bond in the sum of Rs.25,000/- with one or two sureties for the like amount;
- b) In the event of availing bail, the applicant shall attend concerned Police Station on every Sunday between 10:00 a.m. to 12:00 noon for a period of six months from today.

(A. R. JOSHI, J.)