

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

BAIL APPLICATION NO.1513 OF 2015

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders.

Court's or Judge's orders

Mr. Yashpal Thakur i/b PKA Advocates for Applicant.
Ms. P.P. Shinde, APP for State.

CORAM : A.S. GADKARI, J.
DATE : 3rd December 2015

P.C.:

This is an application for bail in CR No.34 of 2014 registered with Mulund Police Station under Section 397 of the Indian Penal Code.

The first informant i.e. the victim in his statement dated 17.1.2014 has stated that the applicant herein who was working as a watchman of the residential complex, after getting knowledge that the complainant was having substantial amount in his pocket, took out a knife and gave blows of the same over the face and other body parts of the complainant and committed robbery. The medical evidence supports the version of complainant. There is also recovery at the instance of applicant. At this stage there is no reason to disbelieve the statement and/or version of the complainant who is injured witness in the present crime.

After taking into consideration the statement of the complainant dated 17.1.2014, in my considered opinion the offence committed by the applicant which is supported by the medical evidence is serious in nature. The learned APP submits that if the applicant is released on bail, there is every possibility that the applicant may tamper with the evidence and may threaten the prosecution witnesses. The learned APP expressed apprehension that after release on bail, the applicant may abscond and will not be available for trial.

In view of the above, no case is made out to grant bail. Hence, the application is dismissed with liberty to file fresh application if the trial does not commence within a period of one year from today.

(A.S. GADKARI, J.)