

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE SIDE JURISDICTION  
CRIMINAL BAIL APPLICATION NO. 2016 OF 2014

Jumman Ali Aafat Ali Savat

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Rohan Surve for Applicant

Ms. R. V. Nevton APP for the State.

Mr. C. K. Deshmukh PI Khalapur Police Station

**CORAM : SMT. SADHANA S. JADHAV, J.**

**DATED : MARCH 2, 2015**

**PC :**

1) Heard. This is an application under section 439 of Code of Criminal Procedure, 1973. Applicant herein is arrested on 02/04/2014 in crime no. 43 of 2014 registered at Khalapur Police Station for offence punishable under section 395, 412 of Indian Penal Code.

2) Present applicant was transferred from crime no. 48 of 2014 registered at Dehu Road Police Station. Applicant has not been identified at the test identification parade. Papers of investigation would reveal that on 03/04/2014, he was granted bail in crime no. 48 of 2014. Applicant was arrested on 27/03/2014 in crime no. 48 of 2014 and was enlarged on bail on 03/04/2014. In the present case, incident is dated 21/03/2014. It prima facie appears that applicant was arrested in the present case on suspicion that he

ism

must be involved in the said offence, however, there is no material to indicate that present applicant was involved in the present case, moreover applicant had no criminal antecedents except crime no. 48 of 2014 registered at Dehu Road Police Station. Investigation is completed and charge-sheet is filed. It appears from papers of investigation that statement of receiver of the stolen property was recorded and he has not named present applicant as the person who had sold the goods to him.

3) In the facts and circumstances of the present case, application deserves to be allowed.

### **ORDER**

- (i) Application is allowed.
- (ii) Applicant be enlarged on bail on furnishing P. R. bond in the sum of Rs. 15,000/- and one or two sureties in the like amount.
- (iii) Applicant shall report to concerned police station for 8 consecutive Sundays, commencing from 08/03/2015 between 10.00 am to 12.00 noon.
- (iv) Application stands disposed of.

**(SMT. SADHANA S. JADHAV, J.)**