

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

CRIMINAL BAIL APPLICATION NO. 1918 OF 2015

Mr. Sagar Mahadeo Pasalkar	.. Applicant
v/s.	
State of Maharashtra	.. Respondent

Mr. Prithpalsingh J. Nahal h/f Mr. Ravindra S. Pachundkar
for Applicant.
Smt. Veera Shinde APP for Respondent-State.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED : 14th DECEMBER, 2015.**

P.C.

1. This is an application for bail filed by the aforesaid applicant, who has been arrested in Crime No.207 of 2015 registered at Chaturshingi Police Station at Pune for offence under Section 395 of Indian Penal Code.

2. The case of the prosecution in brief is that on 07/05/2015, some unknown persons entered the cabin of Atul Mukund Ambekar, who is working as Accounts Assistant in Life and General Insurance and Reinsurance Brokers Pvt.

Ltd., and committed theft of Rs.1,95,00,000/- by putting the said first informant Atul Ambekar in fear of death. The said Crime No. 207/2015 dated 09/06/2015 was registered, against unknown persons, pursuant to the FIR lodged by Atul Ambekar. The applicant was arrested on 16/06/2015 and is in custody till date. The charge sheet is already filed before the JMFC, Pune being Charge Sheet No.160 of 2015. The bail application filed by the applicant came to be rejected by the learned District Judge-13 and Additional Judge, Pune by order dated 08/09/2015. The applicant has therefore, filed this bail application under Section 439 of Criminal Procedure Code.

3. Heard the learned counsel for the applicant and the learned APP for the State.

4. I have perused the record and considered the submissions advanced by the counsels for the respective parties. The records prima facie reveal that some unknown persons had entered the cabin of the complainant and

committed theft of Rs.1,95,00,000/- by putting the complainant in fear of death. Upon the arrest of the applicant, identification parade was held. However, the complainant has not identified this applicant in the identification parade. No recovery has been made at the instance of the applicant. Prima facie, there is no incriminating material on record to show the involvement of this applicant in the said crime. The investigation is completed and the presence of the applicant is, therefore, not required in custody.

5. Under the circumstances, the application is allowed on the following terms and conditions:

(I) The applicant is ordered to be released on bail on furnishing bail bond of Rs.25,000/- with two local sureties to the satisfaction of local JMFC, Pune.

(II) The applicant shall furnish permanent as well as temporary address, if any, to the Investigating Officer. The Investigating Officer

shall verify the said address before the applicant is released on bail.

(III) The applicant shall attend the hearing on each and every date of trial court.

(ANUJA PRABHUDESSAI, J.)