

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

BAIL APPLICATION NO.2031 OF 2015

Chetan Krushandas Gujar

...Applicant

Versus

The State of Maharashtra

...Respondents

...

Mr. Anand Shalgaonkar i/b. Mr. Satyam H. Nimbalkar
for the Applicant.

Mr. Rajesh More, APP for the Respondent- State.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 2nd DECEMBER, 2015.

P. C. :

This is an application for bail filed by the aforesaid Applicant, who has been arrested in Crime No.196 of 2015 registered with Paud Police Station, Pune (rural), for the offences punishable under sections 302, 397, 201 and 411 r/w. section 34 of the IPC.

2. The learned counsel for the Applicant has submitted that the allegations against the Applicant are that he had received the stolen property. He has further submitted that the property is already recovered and his presence is no longer required in the custody.

3. The learned APP has submitted that the investigation is still in progress and hence, the Applicant may not be released at this stage.

4. I have perused the records and considered the submissions advanced by the learned counsel for the Applicant and the learned APP for the Respondent- State.

5. The records prima facie reveal that the body of one Shankar Dnyaneshwar Dhumal was found on 4.9.2015. The post mortem report reveals that death of said Shankar was homicidal. The FIR was lodged against unknown persons for causing death of said Shankar Dhumal. In the course of the investigation Ashrukant Dadarav Kamble, who was allegedly involved in causing death of Shankar Dhumal, had been arrested. The records reveal that pursuant to the statement of Ashrukant Kamble some gold ornaments of the deceased were recovered from the Applicant herein. The Applicant was therefore, taken into custody for receiving stolen articles.

6. The record prima facie reveals that the Applicant is not involved in causing death of Shankar Dhumal and his role is restricted to receiving stolen property. The property is already recovered. Hence, the presence of the Applicant is no longer required for custodial

interrogation.

7. Considering the above, facts and circumstances, the application is allowed on the following terms and conditions:-

(i) The Applicant be released on bail in Crime No.196 of 2015 registered with Paud Police Station, Pune (rural), on furnishing P.R. bond of Rs.20,000/- (Rupees Twenty Thousand only) with one or two sureties to the satisfaction of the Sessions Judge, Pune.

(ii) The Applicant shall not interfere with the evidence in any manner.

(iii) The Applicant shall not leave Pune, till filing of the charge-sheet without prior permission of the Sessions Judge, Pune.

(ANUJA PRABHUDESSAI, J.)