

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 783 OF 2016

Sagar Shivaji Janjal,
Age: 21 years, Occ: Student,
R/o. Paldhi, Tal. Jamner,
Dist. Jalgaon.

...Applicant

versus

The State of Maharashtra

...Respondent

.....
Mr. Girish Nagori, Advocate for applicant
Mr. M.M. Nerlikar, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 25th FEBRUARY, 2016

ORAL ORDER :

The applicant is seeking regular bail in Crime No. 87 of 2015 registered with Ramanand Nagar Police Station, District Jalgaon for the offence punishable under Sections 363, 394 read with Section 34 of Indian Penal Code and under Section 3/25 and 5/25 of the Arms Act.

2. The prosecution case against the applicant is that the complainant Shabana Shoukat Patel while was going back after having lunch at her sister's house was kidnapped by group of which the applicant is one of the member. The role attributed to the applicant is that of driving of vehicle in question.

3. Learned Counsel for the applicant would urge that, the investigation in the matter is complete and charge sheet is already filed, as such, he prayed for grant of regular bail. He would then submit that further detention of the applicant is not necessary. He would submit that looking to the role attributed to the applicant in the crime in question, there is no active participation in the crime in question but for driving of the vehicle. He would then submit that there are no criminal antecedents against the applicant and he being student be released on bail.

4. Learned A.P.P. submits that there is strong evidence available against the applicant as he was identified by complainant when he was in the police custody. His second submission is that two country made pistols were recovered from the applicant.

5. Having perused the charge sheet, it is required to be noted that role attributed to the applicant is that of driving of Scorpio vehicle. The role of using of alleged weapon i.e. country made pistol is not attributed against the applicant, particularly upon perusal of first information report. The investigation in the matter is complete and charge sheet is already filed.

6. In my opinion, as there are no criminal antecedents against the applicant and for the reasons stated herein above, the applicant needs to be enlarged on bail. Hence, the following order :-

The applicant be released on bail in connection with Crime No. 87 of 2015 registered with Ramanand Nagar Police Station, District Jalgaon for the offence punishable under Sections 363, 394 read with Section 34 of Indian Penal Code and under Section 3/25 and 5/25 of the Arms Act, upon furnishing P.R. bond of Rs.15,000/- with one surety in the like amount.

7. The application stands allowed in above terms.

[N.W. SAMBRE, J.]