

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

CRIMINAL APPLICATION NO.1021 OF 2016

Jitsingh s/o Lahusing Gil,
The actual name of petitioner
Vijay Lahuji Chavan,
Age 25 years, Occu. Labour,
R/o Yashodhan Society,
Chintamani Nagar, Bibwewadi
Pune, presently residint at
Nathnagar, Ranjangaon (Shenpunji),
Taluka Gangapur, Dist.Aurangabad
(at present in jail)

.. Applicant

Versus

State of Maharashtra,
Through Police Station Officer,
MIDC Waluj Police Station,
Taluka Gangapur,
District Aurangabad

.. Respondent

Mr S.S. Rathi, Advocate for applicant
Mr M.M. Nerlikar, A.P.P. for respondent

- WITH -

CRIMINAL APPLICATION NO.789 OF 2016

Samadhan s/o Udhavrao Thakur (Taur),
Age 28 years, Occu. Service,
R/o Shivneri Colony, Ranjangaon,
Taluka Gangapur, Dist. Aurangabad

.. Applicant

Versus

The State of Maharashtra,
Through in charge,
Police Station
MIDC, Waluj,
Taluka Gangapur,
District Aurangabad

.. Respondent

Mr J.J. Patil, Advocate for applicant
Mr M.M. Nerlikar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 24th February 2016

PER COURT

Heard.

2. Both the applicants are accused in Crime No.17 of 2016, registered at M.I.D.C. Waluj Police Station, Taluka Gangapur, District Aurangabad, for the offences punishable under Sections 392 read with sec. 34 of Indian Penal Code.

3. Prosecution case is that the applicants have snatched bag containing amount of Rs.1,30,000/- from the custody of complainant. During the investigation, names of applicants were disclosed by co-accused, which has resulted into certain recovery from the applicants.

4. While trying to make out the case for grant of pre-arrest bail, both the learned Counsel would urge that there are no criminal antecedents and the applicants were subjected to interrogation. As such, further detention of the applicants is not necessary.

5. Learned A.P.P. submits that since the offence is punishable for ten years, the applicants' prayer for bail be rejected, as the applicants are involved in a serious crime. According to him, there is enough material to convict the applicants.

6. Having bestowed my thoughts to the submissions made, it is required to be noted that there are no criminal antecedents against the applicants. The cash involved in the crime in question is already recovered. Apart from above, the applicants are behind the bars for

last one month. In view of above, it will be appropriate, in my opinion, to order release of the applicants on following terms:

(I) Both the applicants be released on bail in Crime No.17 of 2016, registered at M.I.D.C. Waluj Police Station, Taluka Gangapur, District Aurangabad, for the offences punishable under Sections 392 read with sec.34 of Indian Penal Code, upon furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount, by each of them;

(II) The applicants shall not tamper with the evidence;

(III) The applicants shall keep themselves away from the jurisdiction of Waluj Police Station till filing of charge-sheet, except for the purpose of investigation.

7. Criminal Applications stand allowed in above terms.

(N.W. SAMBRE, J.)

vvr