

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

CRIMINAL APPLICATION NO. 1708 OF 2016

Bhagirath Badod Bhosale

...Applicant

VERSUS

The State of Maharashtra

...Respondent

.....
Shri S.B.Kadu, advocate for applicant

Shri S.N.Morampalle, A.P.P. for respondent/State

.....

CORAM : INDIRA K.JAIN, J.

DATED : 2nd May, 2016

ORDER :

Here is an application for regular bail in Crime No. I-19 of 2014, registered at Kopargaon police station, District Ahmednagar for the offence punishable under Sections 395 of the Indian Penal Code.

2] Heard Shri S.B.Kadu, learned counsel for applicant and Shri S.N.Morampalle, learned A.P.P. for State. Perused papers of investigation.

3] Incident occurred on 15.1.2014. According to first informant at the relevant time he along with his mother-in-law and brother-in-law came to Puntamba Phata. One Sudam took them to a field and inquired whether they have brought cash. When they said yes, he shouted and 10-12 persons rushed to them. They beat

informant, his mother-in-law and brother-in-law and robbed them of cash of Rs.12,13,500/-, two mobile phones, two gold chains, four gold rings and two glass. On the report of first informant, crime came to be registered on 18.1.2014. Applicant was arrested on 28.9.2015 and since then he is in custody.

4] On perusal of case papers it can be seen that name of applicant does not appear in first information report. There is no recovery at the instance of applicant. Charge sheet has been filed and so question of his custodial interrogation would not arise. Similarly placed co-accused have been released on bail by the Sessions Court.

5] Considering the role attributed to the accused and the material collected against him during investigation this Court is inclined to enlarge applicant on bail. Hence the following order.

ORDER

(i) Criminal Application No. 1708 of 2016 is allowed.

(ii) Applicant is released on bail on P.B. and S.B. of Rs.20,000/- each.

(iii) Applicant shall not tamper with prosecution evidence and shall make himself available as and when required.

(iv) Bail before the Trial Court.

[INDIRA K.JAIN, J.]

dbm/crap1708.16