

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1910 OF 2016

Sunil Babanrao Bhujbal,
Age 46 years, Occu.: Labour,
R/o Wakodi,
Tq. & Dist. Ahmednagar .. Applicant

Vs.

The State of Maharashtra .. Respondent

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Mr. Satej S. Jadhav, Advocate for the applicant
Mr. A.R. Borulkar, APP for the respondent-State

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CORAM : M.T. JOSHI, J.

DATED : 18/04/2016

ORAL ORDER :

Heard both sides.

2. The present applicant, who is arrested by Bhingar Camp Police Station, Dist. Ahmednagar in Crime no. I-21 of 2016 for the offences punishable under section 420, 395 of the Indian Penal Code, is praying for his release on bail.

3. The prosecution allegations would show that

the principal accused had cheated the complainant by making him to come at a place for the purposes of purchase of certain gold and thereat, all those principal accused had forcibly taken away the amount of Rs.5,00,000/- and a mobile phone, hurled stone towards the complainant and his companion and fled away.

4. So far as the present applicant is concerned, the allegations are that one of the said co-accused, namely, Laxman Gabaji Gaikwad had after commission of the offence went to the field of the present applicant, as he had acquaintance with him. Thereat, he told the applicant that an amount of Rs.50,000/- was lost by him at the spot. Thereupon, both of them went to the spot, recovered the said amount from the spot. Thereafter, however, the present applicant had taken away an amount of Rs.37,000/- from the said accused and, therefore, he is also arrayed as an accused in the present case.

5. Learned counsel for the applicant submits that the applicant is behind the bar since 05/03/2016. He is now in Magisterial custody, investigation qua him is

completed and even amount, according to the prosecution, is also recovered.

6. Learned A.P.P. opposed the application. He submits that the prosecution case would show that the present applicant has visited the spot with one of the principal accused and helped him to take away the amount lying thereat.

7. Considering all the material on record qua the present applicant and finding that the trial would take its own time, in my view, the present applicant can very well be released on bail on certain conditions.

8. Hence, the following order:-

I) The Application is allowed.

II) The applicant be released on bail in Crime no.I-21 of 2016 registered with Bhingar Camp Police Station, Dist. Ahmednagar for the offences punishable under section 420, 395 of the Indian Penal Code, upon his executing P.R. bond in the sum of Rs.30,000/- (Rs.

Thirty Thousand) and also upon furnishing two sureties in the amount of Rs.15,000/- each.

III) The applicant shall attend the Investigating Officer/Police Station on every 4th Monday of the Month for four (4) months between 09.00 am and 10.00 am, upon his release on bail.

9. Application stands disposed of accordingly.

10. Authenticated copy of the present order be provided to the learned counsel for the parties, on their request.

[M.T. JOSHI]
JUDGE

arp/-