

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 2231 OF 2016

MAHADEO S/O ANKUSH DETHE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Ravindra Vitthal Gore.

APP for Respondent : Mr. A. R. Borulkar.

Advocate for Complainant / Intervenor : Mr. S. S. Varma.

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CORAM : **INDIRA K. JAIN, J.**

DATE : 26th April, 2016.

P.C.:

. This is an application for regular bail in Crime No.0455 of 2015 registered at City Chowk Police Station, Aurangabad for the offences punishable under Sections 420 and 406 read with 34 of the Indian Penal Code.

2 Heard Mr. R. V. Gore, learned counsel for Applicant, Mr.A.R.Borulkar, learned APP for State and Mr. S. S. Varma, learned counsel for Complainant / Intervenor.

3 It appears from police papers that Complainant Kishor Ganar lodged complaint against Applicant and two others alleging therein that on 19th August, 2015 at 07:30 p.m. he had given 425

grams gold to Applicant for the purpose of melting. As gold was not returned to Complainant he reported the incident to police.

4 There is considerable delay in lodging FIR. Statements of almost all the material witnesses have been recorded. Applicant was in police custody and nothing has been recovered at his instance. Applicant is behind bars since more than two months. In this background this Court finds that no purpose would be served in keeping the Applicant in further custody. Hence the following order –

ORDER

- I. Criminal Application No.2231 of 2016 is allowed.
- II. Applicant is released on bail in Crime No.0455 of 2015 registered at City Chowk Police Station, Aurangabad for the offences punishable under Sections 420 and 406 read with 34 of the Indian Penal Code on P.R. and S.B. of Rs.15,000/- (Rupees Fifteen Thousand Only) each.
- III. Applicant shall not tamper with the prosecution evidence and shall make himself available as and

when required for investigation / interrogation.

IV. Bail before the Trial Court.

[INDIRA K. JAIN, J.]

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