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

CRIMINAL APPLICATION NO.6833 OF 2015

Vikas @ Vicky Jagannath Kedare

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr S.G. Kawade, Advocate for applicant;
Mr K.D. Munde, Addl. Public Prosecutor for respondent

CORAM : N.W. SAMBRE, J.

DATE : 11th January, 2016

ORDER :

By the present application under section 439 of the Code of Criminal Procedure, the applicant is seeking his release on bail, in connection with C.R. No.I-234 of 2015, registered with M.I.D.C. Waluj Police Station, Aurangabad, for offences punishable under sections 399, 402 of the Indian Penal Code; under section 3/25 of the Arms Act and under section 135 of the Bombay Police Act.

2. The applicant was arrested on 20th August, 2015.

3. It is the case of the prosecution that that the applicant and other accused were making preparation to commit dacoity and had assembled for the same purpose.

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4. From the co-accused, a firearm and other material has been seized. The prosecution alleges that the present applicant ran away from the spot and his name was disclosed by the accused who were arrested.

5. The applicant submits that there is no criminal history as against him and according to him, there is hardly any material available on record.

6. Learned Addl. Public Prosecutor submits that the offence alleged against the applicant is serious one, punishable with imprisonment for a term of seven years or more.

7. The investigation in the matter is complete and charge-sheet is also filed. Having perused the charge-sheet, it is noted that further detention of the applicant is not necessary for the offence in question, as but for the allegation that he ran away from the spot of the incident, there is hardly any material available on record against the applicant. Thus, in my opinion, it will be appropriate to order release of the applicant on bail. I, therefore, pass following order :-

The applicant be released on bail, in connection with C.R. No.I-234 of 2015, registered with M.I.D.C. Waluj Police Station, Aurangabad, for offences punishable under sections 399, 402 of the Indian Penal Code; under section 3/25 of the Arms Act and under section 135 of the Bombay Police Act, on furnishing P.R. Bond of Rs. 15,000/- with one surety in the like amount.

(3)

The applicant shall attend the trial regularly.

Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

amj