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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 474 OF 2016**

Abdul Hamid Sayyad Ahemad

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.M.K.Kocharekar i/b Mr.R.A.Kale, for the Applicant

Mr.D.P.Adsule, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 20th APRIL, 2016

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 95 of 2015, registered with the Dapoli Police Station, Ratnagiri, for the alleged offences punishable under Sections 364, 341, 120B r/w 34 of the Indian Penal Code.
3. Learned Counsel for the applicant submitted that in the present case, co-accused Ashwinkumar Atmaram More, on whose behest the

alleged incident is stated to have taken place, has been enlarged on bail by this Court vide order dated 18th March, 2016, passed in Criminal Bail Application No.410 of 2016. He relied on paragraph 5 of the said order, which reads thus:-

“5. The complainant is present in the Court. His advocate has tendered an affidavit and the same is taken on record. It is stated in the said affidavit, that the matter is amicably settled between them, and that he has no objection if the applicant is enlarged on bail.”

4. Perused the papers. It appears that 6 persons including the present applicant were apprehended on the spot. It appears that the complainant has not received any injury. It also appears that similarly placed co-accused have been enlarged on bail by the Sessions Court. No specific role is attributed to the applicant. Investigation is complete and charge-sheet is filed.

5. Considering the aforesaid, the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;
- (ii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (iv) The applicant to cooperate with the conduct of the trial.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.