

Nalawade

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 238 OF 2016

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Vijayshankar Tiwari for the Applicant.

Ms. Rutuja Ambekar, APP. for the State

CORAM : A.S.GADKARI, J.

DATE : 31st August, 2016

P.C.

1) This is an application under Section 439 of the Cr.P.C. for bail in CR No. 68/2015 dated 16.3.2015 registered with Mankhurd Police Station Mumbai under Section 387, 364(A), 326, 504 and 506 read with 34 of the Indian Penal Code.

2) The first information report is lodged by Shri. Karan Giri a hawker by profession who was doing his business in the local trains. It is the case of the prosecution that the applicant along with accused No.1 Abdul Karim Shaikh abducted the informant for a ransom of Rs.25,000/- and took him to a godown near Shilphata and assaulted the informant with bambu sticks. That, after assaulting and administering threats to the informant he was dropped below a bridge near Maharashtra Nagar, Mankhurd. After completion of the investigation, the

police have submitted the charge sheet.

3) It is to be noted here that the name of the applicant is not mentioned in the FIR and prima facie there is ambiguity in his identity as is revealed from the statements of the witnesses. Prima facie it appears that there is no other evidence on record to connect the accused in the present crime. In view of the same, the applicant has made out a case for releasing him on bail.

Hence, the following order.

a) The applicant be released on bail in CR No.68/2015 registered with Mankhurd Police Station, Mumbai on his furnishing PR bond of Rs.20,000/- with one or more solvent local sureties in the like amount.

b) After his release from jail the applicant shall not enter the jurisdiction of the Mankhurd Police Station except for marking his presence as directed herein below.

c) After his release from Jail the applicant shall attend the Mankhurd Police Station once in a month i.e. on every first Monday between 11.00 a.m. to 3.00 p.m. and shall withdraw himself from the jurisdiction of Mankhurd Police Station in any circumstances after 3.00 p.m.

d) Before his release from jail the applicant shall supply his address where he intends to reside to the Mankhurd Police Station.

e) The applicant shall attend all the dates before the Trial Court.

f) Any two consecutive defaults in complying

with the aforesaid conditions shall attract the provisions of Section 439(2) of the Cr.P.C.

- g) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- h) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)