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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.623 OF 2016

Ravindra Nathu Marne	 Applicant
V/s.	
The State of Maharashtra	 Respondent

Mr. S.V. Kotwal, I/by Avinash Kamkhedkar, for the Applicant.
Mrs. R. M. Gadhvi, APP for the Respondent State.

CORAM : A. M. BADAR, J.

DATE : 14th JUNE, 2016.

P.C. :

1. The applicant/accused in Crime No.151 of 2015, for the offence punishable under Section 395 of IPC registered with Warje Malwadi Police Station, Pune, at the instance of injured Amrut Vasudeo Choudhary, by this application prays for releasing him on bail during the pendency of trial.
2. Heard learned counsel appearing for applicant as well as learned APP.
3. The learned APP argued that the offence alleged against the applicant is serious and supplementary statements of the informant as well as Jayashri, go to show that during the course of dacoity, present

applicant and his associates had snatched chain from the informant.

4. Now the investigation is over. In the F.I.R. lodged by injured Amrit Jadhav, role attributed to the applicant is that of assault by means of brick on the head of the informant. The perusal of the injury certificate of informant Amrut, shows that he suffered simple correspondence injury. Jayashri Chandrakant Kamathe, the owner of the shop has not attributed the role of the applicant in assaulting her.

5. Considering the nature of evidence against present applicant, his liberty cannot be curtailed at pre-trial stage. However, it is clarified that co-accused will not be in position to claim parity considering the role attributed to the present applicant in the crime. Hence order.

Order

I) The applicant/accused in Crime No.151 of 2015, for the offence under Section 395 of IPC, registered with Warje Malwadi Police Station, till disposal of trial, be released on bail on his executing P.R. Bond in the sum of Rs.25,000/- and on furnishing surety in the like amount.

ii) As a condition of this order, the applicant shall not tamper the prosecution evidence in any manner.

lii) The applicant shall not extend, any threat, promise or inducement to persons acquainted with the facts of accusation against him so as to dissuade them from disclosing the same either to the police or to the Court.

iv) The applicant shall not commit offence of similar nature in future and shall co-operate the trial Court in expeditious disposal of the trial.

[A. M. BADAR, J.]