

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1278 OF 2016

Prasad @ Golu Rameshwar Rangeele	.. Applicant
Vs.	
The State of Maharashtra	.. Respondent

Mr. K. S. Patil for the Applicant.
Ms. R. M. Gadhvi, APP for the State.

CORAM : N. W. SAMBRE, J.
DATE : 2nd DECEMBER, 2016.

P. C. :

1. This application is filed seeking regular bail in Crime No. 18 of 2016 for the offence punishable under Sections 307, 506(ii) read with 34 of the Indian Penal Code and 3 and 25 of the Indian Arms Act.
2. The applicant was arrested on 25.01.2016 in the aforesaid crime which is claimed to have happened on 11.02.2015.
3. The allegations against the applicant is that the applicant has fired at complainant when he was travelling in his four wheeler car along with his body guards. It is claimed that already there is recovery of fire arm from the applicant and in view of the criminal antecedents, the applicant shall not be released.
4. The investigation matter is already over and the charge-sheet is filed. Looking to the conduct of the applicant, his driver and the body guards whether this crime is taken place or not itself is doubtful.

5. Apart from the above, the applicant claimed to be arrested based upon his identification in a parade in some other crime.

6. The fact remains that the vehicle in which the complainant was travelling has not damaged because of the firing which was opened from close range. Neither the complainant nor his body guards or driver suffered injuries. As such whether the offence in question took place or not is itself under doubt.

7. The other offence in which there is recovery from the applicant, he has already released on bail.

8. In view thereof, in my opinion, the case for bail is made out. The applicant be released on P.R. Bond of Rs.25,000/- with one or two sureties in the like amount. The applicant shall not tamper with the evidence and influence the witnesses. The applicant shall attend the police station as and when called by the Investigating Officer. The applicant shall report the office of the Senior Police Inspector (Crime), Taloja Police Station, New Mumbai by Saturday or first week of each month.

[N. W. SAMBRE, J.]