

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 822 of 2016
[Chandan @ Chandu Bhanudas Ingale Vs. State of Mah.]

**Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.**

Court's or Judge's orders

Ms. Rakhi Ahuja, Adv., for the Applicant.
Mr. Kadu, APP for respondent.

- - - -

CORAM : P. N. DESHMUKH, J.

DATE : 09th December, 2016.

This application is filed by one of the accused in Crime No. 34/16 registered by Jaripatka Police Station, Nagpur, for the offences punishable under Sections 392 and 395 read with Section 34 of Indian Penal Code, for grant of bail.

Heard learned counsel for both the sides.

Learned counsel for the applicant contended that there is absolutely no evidence establishing the applicant's involvement in the present crime which can be considered against him and has, therefore, submitted that as the investigation is over and charge-sheet is also filed, the application be allowed by imposing suitable conditions upon the applicant.

Learned APP opposed the application on the

ground that the applicant came to be arrested as there were similar offences registered against him and during interrogation, he confessed his involvement in the present crime. It is, thus, found that except for his own statement made to police, there is nothing on record to establish the involvement of the applicant.

Learned counsel for the applicant has also contended that the co-accused is already released on bail by this Court.

Perusal of the documents filed with the application reveals that on the basis of a report lodged by the complainant, offences came to be registered against two unknown persons who, at the time of incident, committed theft of the cash carried by the complainant with his relative Sunny Motwani while they were proceeding on a bike. It is stated that two persons followed them on a two-wheeler and at about 10.00 p.m. by giving a slap to said Sunny who was holding a bag containing a cash of Rs. 7,10,000-00, they ran away with the same.

Admittedly, the applicant was not identified in the Test Identification Parade.

Having considered the nature of evidence against the applicant and as the charge-sheet is filed, the application is allowed as per order below:-

- [a]** The Applicant shall be released on bail on his furnishing a Personal Bond in the sum of Rs. 30,000-00 [rupees thirty thousand only] with one surety in the like amount.
- [b]** While on bail and pending trial, the applicant shall mark his presence at Jaripatka Police Station, Nagpur, quarterly on the first day of each such month.
- [c]** The applicant shall furnish a proof of his residential address to the concerned Police Station and shall update the same in the event of any change therein.

Judge

|hedau|