

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

922 CRIMINAL APPLICATION NO. 1665 OF 2017

SUNIL S/O. SONERAO JOGDAND
VERSUS
THE STATE OF MAHARASHTRA

Shri. Anil M. Gaikwad, Advocate, for applicant.

Shri. A.R. Borulkar, Additional Public Prosecutor, for
respondent.

Coram: T.V. NALAWADE, J.

Date: 27 April 2017

ORDER:

1) The application is filed for bail. Both the sides are heard. Papers of investigation were made available for perusal.

2) The crime was registered at CR No.88/2008 in Ambejogai City Police Station, District Beed for offences punishable under section 379, which was then converted to make it under section 380 of the Indian Penal Code. One Mohan Munde had given the report that on the night between 9-4-2008 and 10-4-2008 theft was committed of

articles like DVD, ATM card, ornaments and cash mount from his house. On the next day he went to inform to the Bank that the ATM card was stolen and withdrawal should not be allowed. It was noticed that already amounts of Rs.1000/- and Rs.3000/- were withdrawn by using the ATM card of the complainant. In the year 2009 charge sheet was filed against Dipak Jogdand and the present applicant was shown as absconding accused. The present applicant was arrested on 19-1-2017. The record does not show that anything is recovered from him but there is CCTV footage in respect of the ATM Booth showing that the present applicant and two other persons had entered that Booth for withdrawal of the amount by using the ATM card.

3) The applicant is behind the bars for more than 3 months. In view of these circumstances this Court holds that it is not desirable to keep the applicant behind the bars till disposal of the case. It is not certain as to how much time will be required for disposal of the case. In the result, the application is allowed. The applicant is to be released on bail in Crime No.88/2008 registered in

Ambejogai City Police Station, District Beed for offences punishable under sections 457, 380 read with 34 of the Indian Penal Code on his furnishing Personal Bond of Rs.40,000/- (Rupees Forty Thousand Only) with one or more surety bonds of the like amount. The applicant is not to tamper with prosecution witnesses. He is not to commit similar offence. He is not leave the Beed District without prior permission of the Sessions Court till the disposal of the case.

Sd/-
(T.V. NALAWADE, J.)

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