

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

APPLICATION NO.367 OF 2017

Sachin Ganesh Ram	..	Applicant
Versus		
The State of Maharashtra	..	Respondent

Mr. Deepak K. Girme for applicant
Ms. S.S.Kaushik, APP for State
Mr. Bhise, Police Constable Kondhwa Police Station, Pune present.

CORAM : T.V.NALAWADE, J.

DATE : 7th August 2017.

P.C.

1] The application is filed for bail. A statement is made by the learned Counsel for the applicant that this is the first application seeking bail. Both sides are heard. The papers of investigation are made available to the Court.

2] The deceased Mayur Shelkande was working with A.D.D. Technologies and was engaged in collection of money from M.S.E.B. office. In the month of May 2014, when he was discharging his function, he collected some amount and then was

was missing. Missing report was given on 12th May 2014. Statement made show that the employer made a report against Mayur Shelkande that he had not given account of Rs.4 lakhs collected by him and that probably he had misappropriated that money. Crime is registered for offence of criminal misappropriation of that amount vide C.R.No.240 of 2016 with Kondhwa police Station.

3] Against the present applicant and other two persons, there are allegations that to grab that money, they committed murder of Mayur Shelkande. The statement made shows that motor cycle of the deceased came to be recovered on the basis of statement given under section 27 of the Evidence Act by accused No.1. It also appears that some bones were also recovered during the course of investigation but the DNA report is not supporting the allegation that the bones are of dead body of Mayur Shelkande.

4] The prosecution wants to rely upon the so called extra judicial confession given by the present applicant to his two friends. The prosecution also wants to prove the extra judicial confession given

in the year 2014 when police statements were recorded in the year 2016. Corpus has not yet been recovered. In view of these circumstances, this court is of the view that it is not desirable to keep the applicant in jail. Hence, the following order:-

- (I) The applicant is released on bail on his furnishing P.R.bond in the sum of Rs.30,000/- with one or more sureties in the like amount; The applicant shall not leave Pune district without permission from sessions court;
- (iii) The trial court is expected to complete the trial as expeditiously as possible and in any event within three months from the date of passing of this order;
- (iv) Application is disposed of.

(T.V.NALAWADE, J.)