

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 398 OF 2017**

Parmanand Kumar Paul Kishor	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Rameshwar N. Gite for the Applicant

Ms. S. S. Kaushik, A.P.P for the Respondent-State

ASI Mr. S. D. Phangal from Taluka Police Station, Nashik (Rural), is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 5th MAY, 2017

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. I-211 2016 registered with the Taluka Police Station, Malegaon, Nashik, for the alleged offences punishable under Sections 406, 408, 120(b), 411 and 414 of the Indian Penal Code.

3. Learned Counsel for the applicant states that the only allegation *qua* the applicant is, that he is a receiver of stolen property. He submits that in the investigation, 183 LED TVs of LG make were recovered from him. He submits that the applicant had no knowledge that the said LED TVs were stolen property.

4. Learned A.P.P opposes the application. She does not dispute the fact, that the applicant was not present at the spot. However, she states that the applicant had knowledge of the fact that the LED TVs were stolen property, as the same were sold at a much lower price than the MRP. She submits that the applicant's car was following the container which was carrying LED TVs, which shows his complicity.

5. Admittedly, the applicant was not present either in the car or in the container, which was ferrying those LED TVs. There is recovery of 183 LED TVs of LG make from the applicant's shop. Investigation is complete and charge-sheet is filed. The applicant has no antecedents.

6. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;
 - (ii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
 - (iii) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
 - (iv) The applicant to cooperate with the conduct of the trial;
7. The application is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.