

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 940 OF 2017

Rajaiulla Pralhad Khan

..... Applicant

VERSUS

The State of Maharashtra

..... Respondent

Mr.Ram Mani Upadhyay for the Applicant.

Mr.A.P.Palkar, A.P.P. for the State.

CORAM : T.V.NALAWADE, J.

DATE : 11th AUGUST, 2017

P.C.

The application is filed for bail. Both the sides are heard.

2. The FIR and other papers of investigation shows that on the basis of the specific information received by the police, they kept watch at one spot where persons were to come for committing offence of dacoity. In the night time, the persons came in a four wheeler. It is the case of the State that the conversation which was going on amongst those persons was over heard and they wanted to commit offence of dacoity at the shop mentioned in the FIR. The four persons were held on the spot but one person ran away. From the present applicant the weapon like knife was recovered. The police officer gave report and a crime came to be registered in C.R.No.54 of 2016 in Kalamboli Police Station, District Raigad punishable under sections 399 and 402 of the Indian Penal Code. It can be said that only police persons will be the witnesses for offence under section 399 of the Indian Penal Code. The applicant is behind bar since 3rd April, 2016 for the period of more than one year and four months. This court holds that it is not desirable to

keep the applicant behind bar till the disposal of the case. The submissions made show that the applicant had no bad incidents. In the result, the application is allowed. The applicant is to be released on bail on his furnishing P.B. and S.B. of Rs.30,000/- (Rupees Thirty Thousand Only) with one or more solvent surety of the like amount. The applicant is not to tamper with prosecution witnesses. He is not to commit similar offences.

(T.V.NALAWADE, J.)