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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.943 OF 2017

Sandeep @Sonya Sopan Dangmali

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.P.G.Sarda, for the Applicant.

Mr.Rajan Salvi, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 10th JULY, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.144 of 2016 registered with the Vadgaon Maval Police Station, Pune Rural, for the alleged offences punishable under Sections 399, 402 of Indian Penal Code and under Sections 3(25) and 4(25) of the Arms Act.

3. Learned Counsel for the applicant states that the applicant has been falsely implicated in the aforesaid case. He submitted that similarly placed co-accused from whom there is recovery of two sickles has been enlarged on bail. He further submitted that the applicant has no antecedents.

4. Learned APP opposed the application. He, however, does not dispute the fact, that the applicant has no antecedents.

5. Perused the papers. On 1st October, 2016 at about 12.10 a.m., police personnel accosted the applicant and other co-accused, pursuant to the secret information received by them, that the accused were preparing to commit dacoity at Milan Petrol Pump. The police apprehended the applicant and other co-accused on the spot. The police also found one pistol and 2 live cartridges, in the possession of the applicant. There were other recoveries made from the other co-accused. The applicant has no antecedents. All the witnesses are police witnesses and therefore the question of tampering and influencing the witnesses will not arise. The applicant has been in custody since 1st October, 2016. Investigation is complete and charge- sheet is filed.

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 furnishing P.R. Bond in the sum of Rs.25,000/- with one or two local sureties in the like amount;
- ii) The Applicant shall attend the concerned Police Station, on the 1st and 3rd Monday of every month between 10:00 a.m. to 11:00 a.m., initially for a period of 12 months from his release and thereafter on the 1st Monday of every month, between 10:00 a.m. to 11:00 a.m, till the conclusion of the trial;
- iii) The Applicant shall not contact the witnesses or any person concerned with the case;
- iv) The Applicant shall co-operate in the conduct of the trial;
- v) An undertaking to the aforesaid clauses (ii) to (iv), shall be filed by the Applicant, in the Registry of the trial Court, within two week's after his

release;

vi) It is made clear, that if there is breach of any of the conditions as stated above, the prosecution shall be at liberty to seek cancellation of Applicant's bail.

7. The Application is allowed and disposed of in above terms.

8. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

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

(REVATI MOHITE DERE, J.)