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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1096 OF 2017

Anil Ramsundar Bind

..Applicant.

Vs.

The State of Maharashtra

..Respondent

Ms. Roshni Singh for Applicant.

Mr. N.B. Patil APP for State.

Mr. A.A. Sagale, Crime Branch Unit No.2- Panvel, Navi Mumbai present.

CORAM: A.S. GADKARI, J.

DATE : 27th September 2017.

P.C.

1] This is an application under Section 439 of Cr. P.C. for bail in CR No.I-77 of 2016 dated 22.9.2016 registered with Nhavaseva Police Station, Uran, Navi Mumbai under Section 341, 397, 506(2) r/w 34 of the Indian Penal Code.

2] Heard the learned Counsel for the applicant and the learned APP. Perused the chargesheet.

3] It is the prosecution case that, the applicant along with other

three accused committed robbery of the goods from the container which was parked at highway. That driver of the said truck was in conspiracy with the present applicant and other co-accused who have committed the present crime. During the course of investigation, the applicant has been arrested on 22.9.2016. After completion of investigation, police have submitted chargesheet.

3] The record indicates that, the first information report was lodged against unknown persons and till date the chargesheet is silent about any test identification parade and/or exact identity of the applicant and his role in the crime. It is further to be noted here that, apart from the statement of co-accused, prima facie there is no evidence against the applicant. This Court by an Order dated 21.8.2017 had directed the Investigating Agency to inform regarding antecedents and permanent place of residence of the applicant. Learned APP on instructions submitted that there are no antecedents at the dis-credit of the applicant and documents submitted by the applicant regarding his permanent place of residence in the State of Uttar Pradesh are genuine.

4] In view thereof, this Court is of the view that, the applicant can be released on bail.

Hence the following Order:

(i) The applicant be released on bail in CR No.I-77 of 2016 registered with Nhavaseva Police Station, Uran, Navi Mumbai on on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After his release from the jail, the applicant shall attend the concerned Police Station once in month i.e. on every 1st Monday of the month between 11.00 a.m. to 2.00 p.m.

(iii) The applicant shall also attend all the dates before the Trial Court.

(iv) Any two consecutive defaults in complying with the aforesaid conditions, shall attract the provisions of cancellation of bail.

(v) Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

5] Application is allowed in the aforesaid terms.

(A.S. GADKARI,J.)