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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1306 OF 2017

Kasim A. Rizvi	...Applicant
V/s.	
The State of Maharashtra	...Respondent

Mr.Pankaj More i/b Mr.Nitin C. Kamble for the Applicant.

Mr.S.R. Agarkar, APP for the Respondent.

CORAM : T.V. NALAWADE, J.
DATE : 29TH AUGUST, 2017.

P.C. :-

1. The application is filed for bail in C.R. No.I-159 of 2015 registered with Taloja Police Station for the offences punishable under sections 395, 365 of IPC. This Court has perused the papers of investigation as the charge-sheet is already filed.

2. At the instance of one Ansar Alam Mansuri, the driver of truck trailer the crime is registered. The incident took place on the night between 26th November, 2015 and 27th November, 2015. When he was taking iron sheets in the trailer, his trailer was intercepted by three persons under pretext of lift. The allegations are made that these three persons and some other persons committed an offence of

dacoity by pushing him outside of the trailer. They took away the iron sheets. Subsequently the stolen property came to be recovered. The trailer is also recovered. The present applicant came to be arrested on 29th November, 2015.

3. The material collected shows that T.I. parade was arranged to give an opportunity to the first informant to identify the present applicant, but he could not identify the present applicant. The stolen property is not recovered from the present applicant. Due to this circumstance, this Court holds that it is not desirable to keep the present applicant behind the bars till the disposal of the case filed against him. He has been behind the bars for more than one and half years. In the result the application is allowed.

4. The applicant is to be released on his furnishing P.B. and S.B. of Rs.50,000/- with one or more solvent sureties in the like amount. The applicant is not to tamper with prosecution witnesses. The applicant is not to commit similar offences.

(T.V. NALAWADE, J.)