

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

BAIL APPLICATION NO. 1744 OF 2017

Abhay Ramesh Kulthe

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Vivek Salunke for the Applicant.

Mr. S.H. Yadav, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 12th SEPTEMBER, 2017

P.C.:

. This is an application under Section 439 of Cr.PC. in C.R. No. 569/2013 dated 05.12.2013 registered with Hinjwadi Police Station, District Pune under Sections 395 and 412 of Indian Penal Code

2 It is the case of prosecution that Accused Nos. 1 to 5 committed the offence of robbery on Highway by snatching ornaments from the person of the first informant and sold the same to the present Applicant, *inter alia* present Applicant is receiver of stolen property. After completion of investigation, police have submitted charge-sheet.

3 The record indicates that, Accused Nos. 1 to 5 are members of organised crime and police have invoked the provisions of MCOCA Act to CR

No.61/2014 registered with Sangavi Police Station, Pune. That the Applicant is also an accused in the said crime under MCOC Act. The record further indicates that the Applicant was arrested in four other crimes of similar nature i.e. Section 412 of Indian Penal Code. That in the said CR No. 61 of 2014, the Applicant had preferred an application for bail before this Court, bearing Bail Application No.1989 of 2016 and this Court by an order dated 24.02.2017 has directed the Applicant to be released on bail.

4 In the present crime, the allegation against the Applicant is that he is receiver of stolen property. That the Accused No.1 Mustafa Irani pointed out the Applicant as receiver of stolen property in other crime and in pursuance thereof, the Applicant is arrested on 14.12.2016. in CR No. 265 of 2013 registered at Chinchwad Police Station and subsequently, the Applicant came to be arrested in the present crime.

5 In view of the above, the Applicant can be released on bail in the present crime.

6 Hence, the following order:-

i) Applicant shall be released on bail in C.R. No. 569/2013 dated 05.12.2013 registered with Hinjwadi Police Station, District Pune 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 jail, the applicant shall attend the Hinjwadi

Police Station once in month i.e. on every 1st Monday of the said 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.
- vi) The Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.
- vii) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)