

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

CRIMINAL BAIL APPLICATION NO. 484 OF 2018

Mr. Ravi Indramani Gupta ... Applicant.

Versus

State of Maharashtra ... Respondent.

Mr. Shashikant P. Chaudhari, Advocate a/w. Mrs. Snehal S. Chaudhari, Mr. Nilesh G. Tank, Mr. Pranot P. Pawar o/by Maharashtra Law Associates for the Applicant.

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

PI - S.B. Tavade, Kandivali Police Station is present.

CORAM : REVATI MOHITE DERE, J.

DATE : MARCH 13, 2018

P.C.

1 Heard learned counsel for the Applicant.

2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 390 of 2017 registered with the Kandivali (West) Police Station, for the alleged offences punishable under Sections 323, 324, 307, 504, 506, 141 etc. of the Indian Penal Code and under sections 37(1) and 135 of the Mumbai Police Act.

3 Learned counsel for the Applicant submits that the applicant, aged 19 years, a student, has been falsely implicated in the alleged offences. He submits that even taking the prosecution case as it stands, no offence, as alleged is made out against the applicant nor any overact has been attributed to the applicant.

4 Learned APP does not dispute the fact, that no overact has been attributed to the applicant in the incident which took place on 03.10.2017 at 9.30 and 9.50 p.m.. He also does not dispute that the applicant does not have any antecedents.

5 Perused the papers, in particular the statement of Mukesh Saroj i.e. the complainant and other injured. It appears that three incidents took place on 03.10.2017 i.e. at 8.30 p.m., 9.30 p.m. and 9.50 p.m.. Although the applicant is alleged to have been present at the spot of the incidents, no specific overact has been attributed to the applicant. The applicant is aged 19 and is studying in the Prakash Degree College of Commerce & Science. The applicant is in custody since 27.11.2017. Investigation is complete and the chargesheet is filed. The applicant has not antecedents.

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 cash bail in the sum of Rs. 15,000/- for a period of four weeks;
- ii) The Applicant shall, thereafter, furnish PR Bond in the sum of Rs.15,000/- with one or two sureties in the like amount, within a period of four weeks of his release on cash bail;
- iii) The Applicant shall not contact the complainant or any other witnesses concerned with the said case;
- iv) The Applicant shall co-operate in the conduct of the trial;

7 The Application is allowed and disposed of in the aforesaid terms.

8 All concerned to act on the authenticated copy of this order, duly issued by the Registry of this court.

(REVATI MOHITE DERE, J.)