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

CRIMINAL BAIL APPLICATION NO.1178 OF 2017

Anwar Ibrahim Khan	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Aniket Vagal, for the Applicant.

Ms.P.N.Dabholkar, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 9th APRIL, 2018

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.I-115 of 2015 registered with the Badlapur (West) Police Station, Thane, for the alleged offences punishable under Sections 302, 460 r/w 34 of the Indian Penal Code.
3. Perused the papers. The prosecution case rests entirely on circumstantial evidence. There is a CCTV footage in which 2 unknown

persons presence is seen at the spot where the deceased was killed. The complainant after going through the CCTV footage and on seeing the accused have identified them as Manoj Omkar Pawar and Uttam Bhima Gaikwad. Admittedly, the applicant has not been named as being the person present at the spot. There is no recovery of any article/weapon, at the instance of the applicant.

4. Learned APP is unable to point out any other material to connect the applicant with the alleged offences.

5. 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 solvent sureties in the like amount;

ii) The Applicant shall attend the concerned Police Station, on the first Sunday of every month, between 10:00 a.m. to 11:00 a.m., till the

conclusion of the trial;

iii) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;

iv) The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case;

v) The Applicant shall co-operate in the conduct of the trial;

vi) An undertaking to the aforesaid clauses (ii) to (v), shall be filed by the Applicant, in the trial Court, within two week's of his release;

vii) If there are 2 consecutive defaults either in attending the Police Station or in appearing before the trial Court, the prosecution will be at liberty to apply for cancellation of Applicant's bail.

6. The Application is allowed and disposed of in above terms.
7. 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.
8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)