

*Nalawade*

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2166 OF 2017

Rakesh R. Mogam Arundhanti vs. State of Maharashtra

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|------------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Mr. Harshad Meshram for the applicant.

Mr. Ameet Palkar, APP for the Respondent-State.

CORAM : A.S.GADKARI, J.

DATE : 22<sup>nd</sup> February, 2018

P.C.

1. This is an application under Section 439 of the Cr.P.C. for bail in CR No. 325/2015 dated 26.11.2015 registered with Kherwadi Police Station, Mumbai under Sections-363, 342, 397 read with 34 of the Indian Penal Code, Sections 3 and 25 of the Arms Act and Section- 37(1) of the Bombay Police Act.
2. Heard the learned counsel for the applicant and the learned APP for the State. Perused the charge sheet.
3. It is the prosecution case in brief that, the principal accused namely Mr. Shivpal Singh abducted the first

informant Mr. Amit Rai when he was travelling by a car at Kherwadi junction, Bandra (E). and brought him at Fort, Mumbai. He thereafter called the applicant and by putting the first informant under the threat of death took code number of his bank account and withdrew an amount of Rs.80,000/- from his account and also robbed his valuable articles and thereafter fled away from the scene of offence. During the course of investigation, the police arrested the applicant on 27.11.2015 and after completion of investigation have submitted charge sheet.

5. Prima facie, it appears that the role of the applicant has emerged on record only from the statement of principal accused Shivpal Singh and it further prima facie appears that there is no other material on record to connect the applicant in the present crime.

2. In view of the above the applicant is entitled to be released on bail.

Hence, the following order.

a) The applicant be released on bail in CR No. 325/2015 dated 26.11.2015 registered with Kherwadi Police Station,

Mumbai on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

b) After his release from Jail, the applicant shall attend the concerned Police Station on every first Monday of the month between 11.00 a.m. to 1.00 p.m.

c) The applicant shall attend all the dates before the Trial Court unless precluded for medical reasons.

d) Any two consecutive defaults in complying with the afore stated conditions will attract the provisions of cancellation of bail.

e) The applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

f) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)